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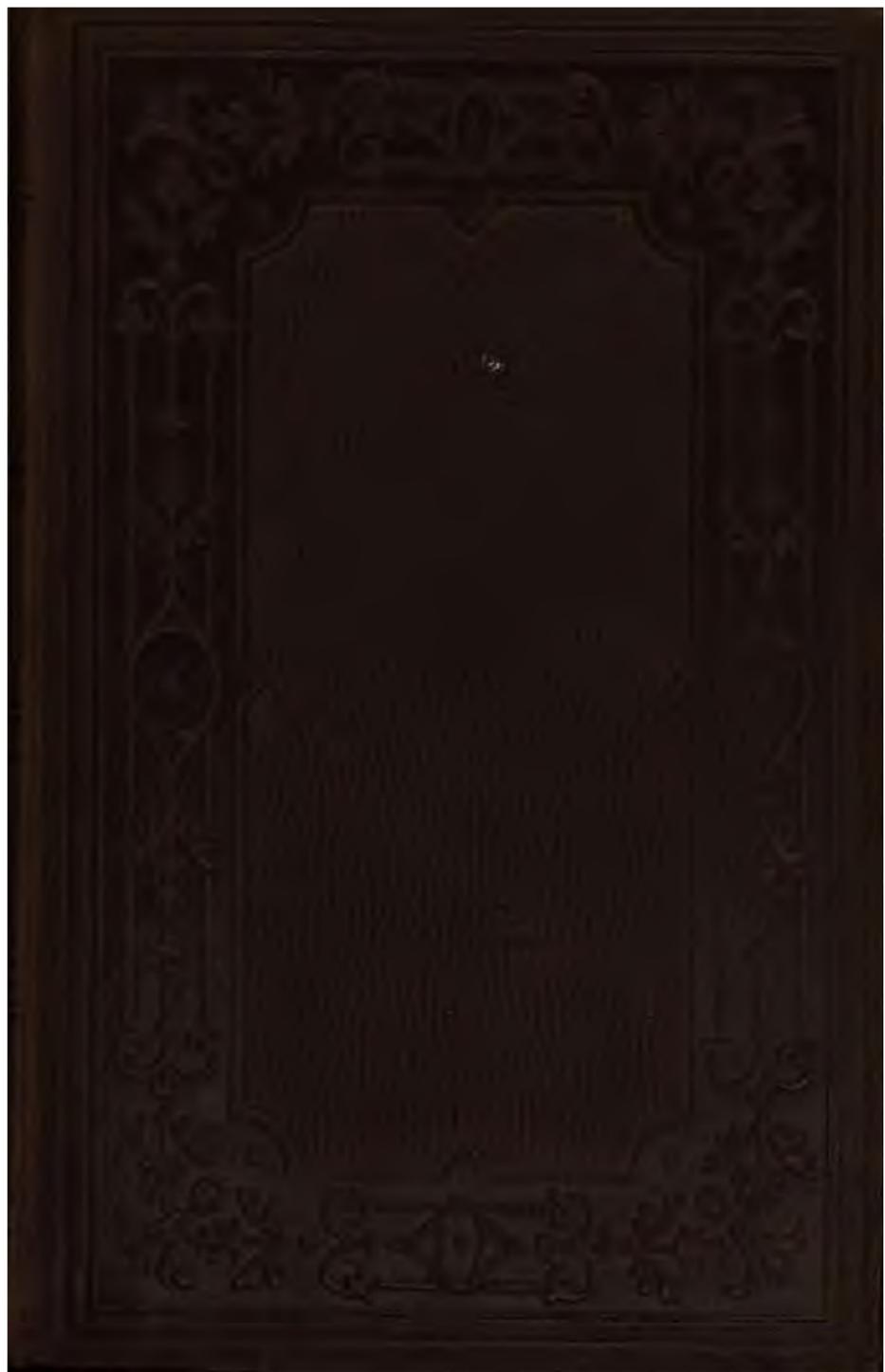
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M.DCCC.XLIX.

LONDON:
Printed by G. BARCLAY, Castle St. Leicester Sq.

TO

HIS GRACE THE DUKE OF RICHMOND, K.G.

AND THE OTHER

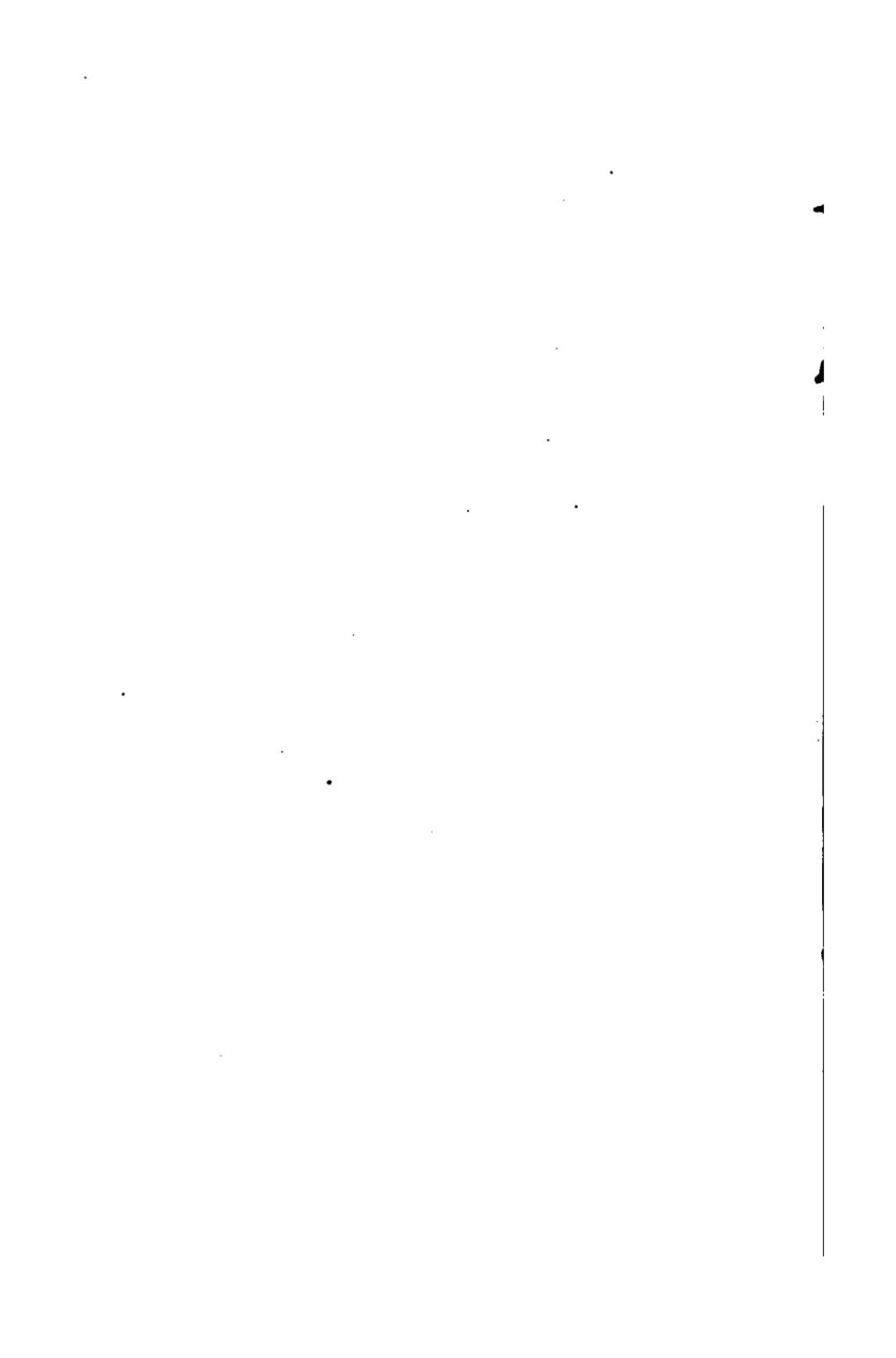
HER MAJESTY'S COMMISSIONERS
FOR THE GOVERNMENT OF PENTONVILLE PRISON,

THIS COMPILATION OF FACTS AND OBSERVATIONS

ON PRISONS AND PRISONERS,

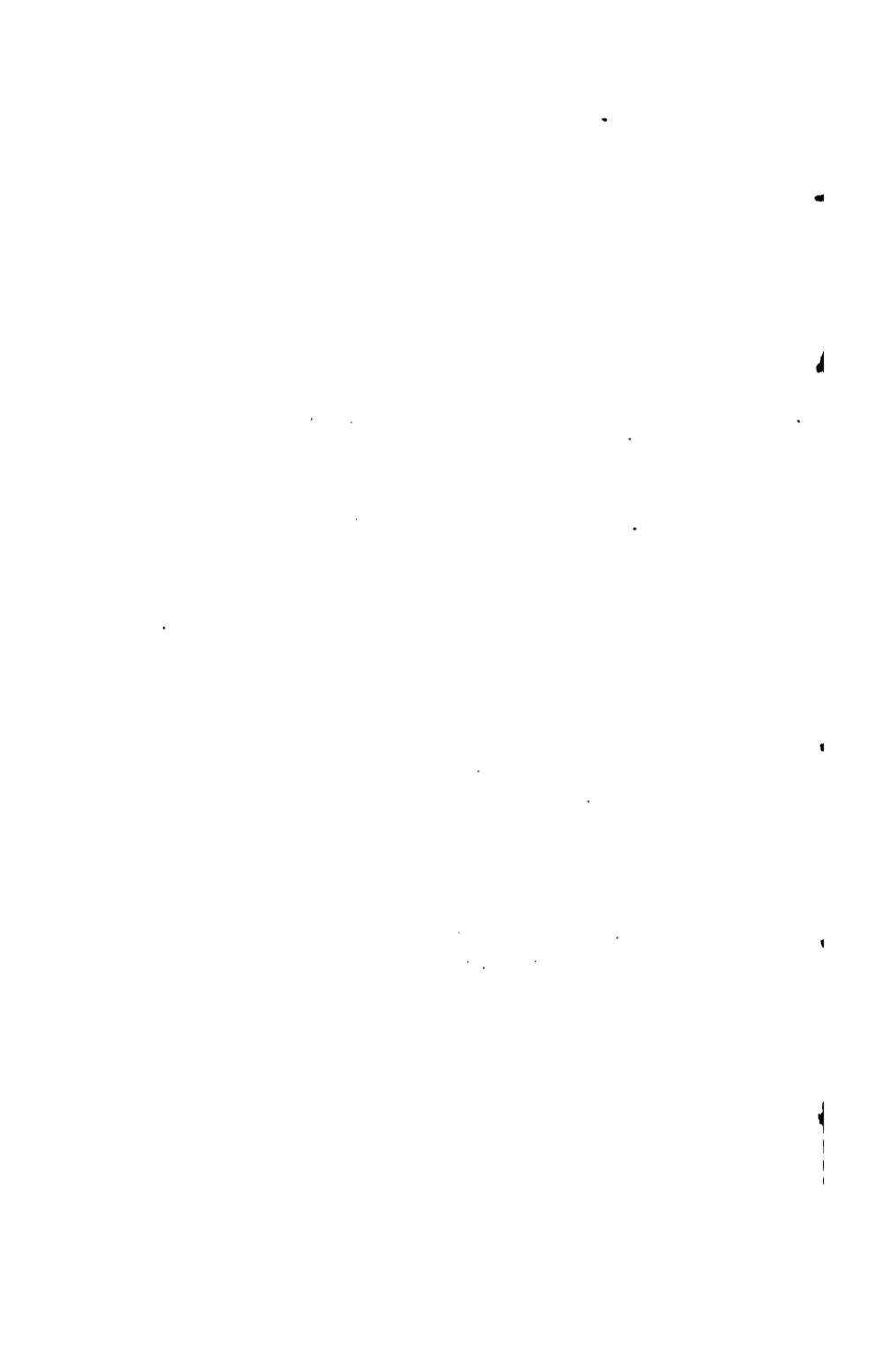
Is most respectfully Dedicated,

IN GRATEFUL ACKNOWLEDGMENT, ON THE PART OF
MY BROTHER CHAPLAIN AND MYSELF, OF THE CONFIDENCE REPOSED IN US,
AND THE COUNTENANCE AND HELP AT ALL TIMES AFFORDED TO
OUR EFFORTS
FOR THE ALLEVIATION OF HUMAN MISERY, AND
THE INFUSION OF CHRISTIANITY,
AS THE ONLY SURE BASIS OF MORAL IMPROVEMENT,
IN THE CRIMINALS COMMITTED TO OUR
MINISTERIAL CARE.



CONTENTS.

	PAGE
I. Introductory Chapter, shewing the interest which society has in the subject, as regards expense, public morals, and humanity	1
II. On alleged causes of Crime — want of Edu- cation, &c.	18
III. The different kinds of punishment for Crime by Imprisonment compared	35
IV. On the results of the experiment in the Govern- ment Model Prison in Islington, commonly called Pentonville Prison, considered in a moral and religious point of view	55
V. The effects of Christian treatment upon Pri- soners in general	86
VI. Old and new Systems of Transportation com- pared	105
VII. Preventives of Crime, and of relapse into Crime	137
VIII. A Chapter for Lawyers in connexion with the prevention of crime	170
IX. Concluding remarks, with some notice of the Christian Philanthropist, John Howard	180



THE first Board of Commissioners of Pentonville, in 1842, consisted of the following Noblemen and Gentlemen:—

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PRISONS AND PRISONERS.

I.

INTRODUCTORY CHAPTER.

THE following pages have no pretensions to any literary merit, and therefore neither invite nor deprecate criticism. They are the productions of a hasty pen noting down, under convenient heads, such facts and observations as may be of use, not only in meeting the important and now popular question, *What shall we do with our convicts?* but also in assisting, under the Divine blessing, in the promotion of the more decidedly philanthropic and Christian inquiry, *What shall we best do to prevent crime altogether?* or, if this cannot be looked for, sensibly to check its progress in the land?

They aim, too, at being useful, by way of warning and example, in the hands of those to whom the Chief Shepherd has intrusted the care of souls—parents, pastors, and employers;—and why should I not hope also in the hands of those who are them-

selves the subjects of our most anxious solicitude—
young persons?

There is not much here, indeed, to arrest the attention of the lively and the gay; but most persons in our times like to know a little of what is passing, and especially of subjects *debated* in parliament and elsewhere; and all have their moments of thoughtfulness or vacuity, when even a dry book on a dry subject would not be despised in lieu of a better.

It would not be difficult, indeed, in other hands, to make this attractive even to the light and frivolous, or the lover of romance; but this would be, in the writer's judgment, to pander to a morbid appetite, and to plant with one hand some of the germs of criminality in the breasts of the young, whilst professing to eradicate them with the other. Nor can a Christian so trifle with the misery or guilt of his fellow man.

A great deal of its utility will depend on the manner in which it is viewed and taken up by my brethren in the ministry, and by the great community of Christians of every name who are seeking to promote the Redeemer's kingdom and the good of man. They begin at the right end and at the more hopeful season, and for their works and labours of love the writer desires to be a gatherer of the rude material—"a hewer of wood or a drawer of water;" while to the prayers and sympathies of all is

earnestly commended such a work as ours, whether they are reminded of us by the prayer in the Liturgy " for all prisoners and captives," or otherwise.

The subject of Prisons and Prisoners has now become a pressing and painfully interesting one, whether the expense alone be regarded, the public morals, or the claims of humanity. Few persons, except those who must, to discharge their duties aright, encounter the repulsive study of blue-book literature, or are connected with the detection or punishment of crime, have any adequate idea of the magnitude of the evil when viewed in these respects.

The expense is enormous. The daily average of prisoners (including debtors), in the several prisons of England and Wales, was, in the year 1847, 13,541 males and 2626 females, at an average cost per head per annum of 29*l.* 14*s.* 1*½d.*

The total number of *criminal prisoners* in the same in the course of that year was 106,353, of both sexes and all ages, of whom 67,481 were under summary conviction; and the total expenditure on this account was 480,269*l.* 11*s.* 4*½d.* (See the 13th Report of Inspectors of Prisons.)

The expense of Scotland and Ireland on the same account, with the whole cost of convicts to Government, will swell this sum to little, if at all, short of one million sterling; and this is exclusive of the capital sunk in prison buildings, the expense of the

police force for the protection of society ; excluding also the cost of the prosecution of offenders, and of what may be called a standing army in the sister island to prevent or meet crimes of lawlessness and insurrection.

The able and experienced magistrate of the borough of Liverpool has furnished upon this point, however, some details better calculated to arrest attention than general statements. Speaking before Lord Brougham's committee concerning fourteen criminal children, he says,—“The average cost of these fourteen prisoners during their confinement exceeded sixty guineas each, exclusive of the expense of transportation subsequently of the greater part ;” which, upon a moderate calculation, he estimates at forty more, or a total loss to the public of one hundred guineas each. And what was the result of all their imprisonments ? “Four years afterwards, in the latter end of 1846,” says Mr. Rushton, “I went back to those fourteen cases, and I ascertained what had become of them. Ten out of the fourteen children had been transported, one had died, one is now in custody, one is among the criminal population, and of only one is there any hope of reformation, and *that one I have never heard of.*”

Of the enormous cost to the country in the way of property stolen, it is not possible to form any correct estimate. Some approximation, however, to

the probable amount may be arrived at from the following facts. The total number of convicts sentenced to transportation in England and Wales in one year is about 3000; and in 1847, I ascertained, upon making a diligent inquiry on another and more important question to be noticed afterwards, that 500 convicts, taken as they stand in the Register of the Pentonville Prison (see Sixth Report, p. 28), had stolen property to the value of 10,000*l.* as *estimated upon their trial* for the offences for which they had been transported. But as they had on an average been convicted, once at least, of theft before, this may safely be doubled, and being but one-sixth of the whole number of transported persons, the result will be a loss on the aggregate of 120,000*l.* for convicts alone. To this may be added, on a most moderate calculation, as much more on account of depredations committed by the same persons when they escaped detection, making in all about one-quarter of a million sterling stolen by 3000 criminals before sent out of the country. It is to be observed, that the 500 convicts of Pentonville are not the worst of that criminal class, nor the exactors of the heaviest tribute from the public. But what proportion do these 3000 convicts bear to *those who live by thieving* amongst the 100,000 criminals who annually pass through our prisons? Probably they are not more than one-eighth; but say only one-fourth, and the

amount of the annual depredations of regular thieves will reach nearly a million sterling.

Another view of the subject, and leading to like, or rather indeed very much worse conclusions, is presented to the reader by the following remarks, in a pamphlet lately published :*—

“ To give some data for the calculation of loss to the public in the way of stolen property, it may suffice to say, that thieves in London, and all our great towns, act on a *system* of aggression, concealment, and defence, as complete as can well be imagined; that they are as a body more than ordinarily clever, fertile in resources by study and experience, and incomparable actors; that the whole business is subdivided, in some measure, like that of a manufactory, so that each one obtains as great a facility in his branch as ingenious artisans do in their respective trades. The consequence is, that fraternities of such persons share often enormous sums, although each one, if at all possible, defrauds his fellow. But *male parta, male dilabuntur*,—*ill gotten, ill gone*. A man of this sort lives not unfrequently as a man of fortune, and always dissolutely. How does he keep this up? Exclusively by plunder; and yet it is notorious that he does not get more than an eighth, in general, of the *value* of stolen goods from the guilty receiver.

“ Take then only 2000 regular *thieves*, of the commonest sort, living at the rate of only 50*l.* per annum; there is 100,000*l.* annual nominal loss, but 800,000*l.* real loss to the public. Now there are more than that number in the west of London alone, and five or six times more in the whole country.

“ But who can calculate the moral injury endured by society from an accomplished villain of this sort, who in the

* “ The precise Present Character of Transportation explained.” London: Nisbet, Berners Street.

climax of criminality is a *teacher* of gambling, a *trainer* of thieves, an insinuating, and too often successful *tempter* of young men's fidelity in offices of trust or service, and the heartless *seducer* of female innocence in the houses of the wealthy, in order to perpetrate, in greater security and on a larger scale, his plans of robbery?"

Then how horrible and extensive is the corruption of morals which goes on in prison, when the young and comparatively innocent are not separated from the desperate and hardened, will sufficiently appear when I come to speak on that part of my subject.

But the interests of humanity have a claim at our hands, as well as those of economy surely, or even of morals. It was a noble sentiment from the lips of a heathen, *Nihil humani alienum a me puto*,—“What concerns man concerns me.” And criminals, at the very worst, are men and women of like passions with ourselves, or *children* as once we were.

“When we are considering the claims of such individuals upon our pity,” to use the language of an eloquent living prelate, “we can only look upon them as our fellow-creatures, as partaking of our common nature, with all its frailty and corruption, and with all its dignity, its high destinies, and boundless prospects, but placed by the inscrutable dispensations of Providence in a situation widely different from ours. And when we reflect on the disadvantages

to which they have been subjected, and on the privileges which we have enjoyed, can we help asking ourselves whether the vast difference between our lot and theirs has been owing either to their fault or to our merit?

* * * *

“ But when the difference of circumstances affects the interests not merely of time but of eternity—when the health and safety of the soul and its final doom, the means of grace, and the hopes of glory, are at stake—then to be distinguished by peculiar advantages, to abound while others want, is, indeed, a high and precious privilege: but it is likewise a most mysterious and awful one, and to a well-disposed mind it would be almost an insupportable burden, unless it were accompanied by the consciousness of an endeavour to make a right use of it, and of a wish to communicate it as far as possible to others.”*

And so will every Christian think, and be ready to say with the Apostle, *Who hath made us to differ?* and with holy Bradford, when he saw a criminal pass, “ Only for the grace of God, there goes John Bradford.” In fact the individual that is farthest from sympathy with the crime has often the largest

* Sermon by the Bishop of St. David's in the Chapel of the Philanthropic Society, 17th May, 1846, pp. 19-21.

pity for the offender. He who alone was without sin had most compassion for the sinner.

Amongst those committed to prison for trial in the year referred to, there were 1618 against whom no bills were found by the grand jury, and 4985 were acquitted at the bar. A vast number of these were undoubtedly innocent persons, and, therefore, intensely to be felt for. Of the condemned even, some are subsequently proved to be innocent, and discharged by the crown ; and these are more to be pitied still.* Then there are the thousands of victims of heartless men or diabolical persons, seduced, betrayed, sold for money, and then cast into the streets to perish or to sin, whose moral murderers are at large, and, it may be, even prosperous in this world. It is a melancholy view of the subject, when rehearsing proofs of the magnitude of known crime, which one like a prison chaplain must give, that some of the worst crimes, and the cause of thousands more, are least punishable by human laws, an argument for a judgment to come, which will be heart-searching, perfect, and irreversible. Then there are some

* The labour of investigating cases of alleged innocence falls to the Secretary of State for the Home Department, and, for the satisfaction of the reader I may state, from some acquaintance with the subject, that in the hands of Sir James Graham, and under the present Government, it has been performed with a care and anxiety that I had no idea before was likely, or indeed possible.

within the walls of a prison certainly who have fallen by a temptation, the force of which none but the very poor can know, but for which all must feel, — the pangs of hunger, or their children's cry for bread when they had none to give them. There are the ignorant also of God's laws and holy Gospel, and the children of ungodly, drunken, unchaste parents, reared in vice, trained in infamy, and left to shift for themselves in the world as they best can, or, like the young of certain animals, capable of being trained and made useful, but neglected when this was possible, and then hooted at by society, hunted and treated like wild beasts.

There are not a few more whose degraded situation may assuredly be deplored, if not pitied, who have had no such excuses or palliating circumstances, indeed, in their case; but as men born to take rank with ourselves, it may be, and as well educated as the best. Such was the writer of the following lines within these walls:—

“ TO A WITHERED LEAF.

“ Wither'd leaflet, wildly dancing
In the autumn's chilly breeze,
While the morning sunbeams glancing
Flicker through the sighing trees—
Laurel leaflet, prithee say,
Whither speeding now away ?”

“ ‘ Care-worn mortal, wistful eyeing
As I hurry headlong by,
Soon thou’lt see me lowly lying,
Cast in some lone place to die ;
And the fate which falls to me
Will not linger long from thee.

“ ‘ When the rays of summer morning
Fell on yonder laurel bough,
Bright I shone, the future scorning —
So in heedless youth didst thou.
Falls that burning tear I see
For thyself, or is’t for me ?

“ ‘ Balmy zephyrs, gently blowing,
Nourish’d me with silvery dew ;
O’er me thus, in beauty growing,
Quick the genial season flew :
So hath past thy summer time
When young life was in its prime.

“ ‘ Wither’d now and tempest-driven,
See me fly before the gale :
Ne’er to me shall rest be given,
‘Till in yonder peaceful dale
I am trodden deep in earth,
Whence I had my primal birth.’

“ ‘ Thine my wretched fate resembles —
Now beneath the chilling blast,
Lo ! my coward spirit trembles,
From its hopes for ever cast !
Oh, to lie in death with thee,
By some aged moss-grown tree !’

"These lines embody something deeper than a passing sentiment. They were composed in the exercise ground of a prison, where, on a fine, clear July morning, the fresh breeze blew a brown, withered laurel leaf over the head of one whose lot in life might have been as happy as waywardness and guilt have made it miserable."

What Christian can read that note and moral, written by the prisoner's hand, and that last and saddest sentiment,—

"Oh to lie in death with thee!"

so expressive of a state of mind without Christ, and having no hope beyond the grave, and not feel a desire to bring comfort, if possible, and salvation to his heart? Alas! he knew the way to seek it, but he sought it not. His mind was so absorbed with literary reminiscences, poetical fragments, and pagan fables, that common sense seemed almost utterly to have left him. I have some sweet and affecting lines, written by the same man to his wife; but there is such sacredness in my esteem about the domestic hearth, that although I have had *his* consent to do what I pleased with them, I must withhold them. The following, by another prisoner, will supply its place, and finish my selection of such extracts:—

“THE PRISON BELL.

“ ‘Twas night—and through my lonely cell
The pale moon’s playful shadows fell,
So bright—I dreamt that all on earth
Was changed once more to smiles and mirth,
That tears were fled, that sighs were flown,
And so were all the griefs I’d known :
I woke, alas ! but through that cell
There echoed still the Prison Bell.

“ The morning dawn’d—the rising sun
His glorious course through heaven begun,
And honest toil, with hast’ning stride,
Went whistling by the prison side ;
While I in bonds, with heart downcast,
Deep grieving present and the past,
Lay half unconscious in my cell,
Till summon’d by the Prison Bell.

“ Day closed—and when all days are pass’d,
And I on death’s dark waves am cast,
May there a pitying Saviour be
To set the captive prisoner free :
Then tears no more shall tinge my cheek,
Nor grieves my bleeding bosom break,
For I in endless joy shall dwell,
And hear no more the Prison Bell.”

Often, doubtless, have the thoughts of the curious and imaginative, the deep feeling of the benevolent, and the pious aspirations of the Christian inhabitants

of Islington, been caused by the sight of our prison in their midst. The gloomy aspect of its massive porch perhaps attracted attention; the cheerless monotony of its shrill matin and vesper bell has struck painfully on the ear; or its 500 solitary lamps met the eye, extinguished successively, as the clock strikes nine, by an unseen hand—emblem of happiness extinguished by the just providence of God, and which His mercy alone in Christ Jesus can light up again. But whilst the thoughts of the free thus scaled the prison wall, and passed from cell to cell in silent observation, perhaps they little imagined that the captive's mind—as free as theirs, but sad and mourning—was roaming without, mixed with the busy throng or noisy crowd, longing to drink again the cup of pleasure, or discharge neglected duties, and soothe hearts broken by his misconduct.

This brings me to notice one point more before I close this chapter, worthy of deepest thought and feeling in connexion with the punishment of crime; I mean the cup of sorrow, which the innocent relatives of prisoners are doomed to drink, as well as the terrible remorse and anguish which, when he comes to himself, the prisoner feels on their account. Upon this point I was led to make the following remarks in my annual statement last year to Her Majesty's Commissioners for the government of this prison:—

“ One of our most painful duties, as Christian

ministers in this place, is to endeavour to bind up the broken hearts of innocent relatives of prisoners. Never did I witness before such heart-rending scenes, nor more devoted attachment on the part of virtuous persons to the fallen, than I have seen since I became chaplain of a gaol.

“ It is a sad reflection that human punishments so often fall more heavily upon the virtuous relative than the guilty criminal, and that the higher the degree of innocence the more sensitive is the feeling of the infamy attached so undeservedly, but so commonly, to the family in which a son, a husband, or a brother, has been convicted of crime. Oh! that young people would pause, and consider what misery and ruin the *first* act of rebellion against a father's command or mother's counsel—the *first* sabbath profaned—the first improper connexion formed, may bring upon those who love them so tenderly, as well as upon themselves !

“ Another distressing duty is, to communicate to prisoners the death of relatives. Upon these occasions the first burst of grief is often very affecting, and the expression at the moment has so often fallen from the lips,—‘ I have been the cause; I have broken my poor mother's heart; I have brought my father's grey hairs with sorrow to the grave !’ that last year I counted the number of those who said so to me, or in their letters home, and found that

fifteen had this intolerable burden upon their conscience in addition to all their sins.

“ The accompanying letter from a prisoner under such circumstances will, however, speak more to the heart than any description of this feeling by a stranger. To the intensity of the poor writer’s grief I can bear witness, as well as, through the grace of God, to his hopefulness and consistency now as a Christian.

“ He had been a Highland soldier, and was transported for striking, in a fit of drunkenness, a non-commissioned officer :—

“ ‘ **MY DEAR SISTER,**

“ ‘ I received your letter, and I need not say that I was grieved to the heart. But what makes it lie heavier on my heart is my undutiful conduct. If I had been a kind son, this stroke would have been less severe. But I cannot describe to you the remorse that is within me at the present moment. I am convinced that my cruel and unfeeling conduct has hastened our dear mother’s death—the mother that was so kind to me—so affectionate to one who had the hardness of heart to leave her when I should have been a help and protection ; not only so, but to throw disgrace upon her unspotted name, by being the mother of a transport.

“ ‘ This has given me many a sore heart, but I was living in the expectation that I would wipe that stain off my character by a new and dutiful life, if the Lord should spare me to regain my liberty. But God has taken away her who it was my earnest prayer should see the change.

“ ‘ Oh ! if God had spared the life of our mother till she was gratified with the sight of her unworthy son, that she might have blessed him, and that he should have acted the

part of a son in carrying her to the grave ; but His will, and not ours, be done. That this sacred duty should be left to a stranger. All her kindness rushes now on my mind and accuses me of being a heartless scoundrel.

“ ‘ And you, my dear sister, have been afflicted in a double manner ; you have lost your promising boy. The Lord has been pleased to afflict us severely for our sins. Let us fly to Him that He would remove His hand from us, and we, acknowledging his visitation, for the future live only to his service. And let us pray for one another, and console ourselves in the hope that our dear mother and the dear boy are enjoying one another’s society in heaven ; and that we strive to enter into the same place, never to part more, where there will be no grief to wring our hearts.

“ ‘ My dear sister, God who sees our hearts only knows how I feel for your situation ; I am of no use to you, instead of being your protector and the conductor of our blessed mother’s remains to the grave.

“ ‘ Few are the tears I have shed. It seems to me, as if my heart would burst, but no tears. Not even our brother-in-law can follow our mother’s remains to the grave. But although the hand of a stranger shall lower her body into the pit, let us hope that the husband of her youth, and the children gone before, shall welcome her spirit to heaven, through the sake of that Saviour in whom she trusted.

“ ‘ A. M. P.’ ”

II.

ON THE CAUSES OF CRIME.

ALTHOUGH the following remarks especially apply to the prisoners under my own spiritual charge, I think they will be found correct as regards convicts generally, and that their characteristics are not materially dissimilar from those of the great body of criminals; "for as in water face answereth to face, so does the heart of man to man."

In endeavouring to ascertain the causes of crime in men, one is naturally led to look at their previous education, their means of support, and their social and religious habits. Upon these points, therefore, I proceed to make a few observations. And, first, on the want of education as an alleged cause of crime.

It is a startling fact upon this point, that out of our first 1000 convicts reviewed by me in 1846, so many as 845 actually had attended some sort of school, and for periods averaging about four years. Of these, 347 had received education in schools kept

by private individuals, 221 in National schools, 20 in grammar, 92 in Sabbath-schools, and 160 in other sorts. But when we observe how very small their attainments were, the surprise is in some measure abated; for more than half could not read *with understanding*,* or write their own letters. But to look at these attainments as any test of the sort of education communicated, particular attention should be paid to arithmetic; both because it is necessarily the most definite in itself, and also because it cannot be considered that there ever was any attempt at mental improvement where this branch of elementary knowledge had been wholly neglected. Now there were as many as 758 who had no knowledge of any rule beyond addition; and of these, the majority had none at all.

Reading as is generally taught, like writing, is little more than mechanism, and the terms used to denote progress in them only express, in general, the ideas of the compiler of statistics. But when

* This is probably what is meant by Dr. Browning, when he states, that of 1281 convicts in 6 successive ships, of which he had charge, 323 could "read and write," with 93 who could read but not write; a proportion, however, of educated to the uneducated less than at our prison. Dr. Browning also states, that only 26 had attended Sunday-schools, and 390 other sorts; but one of the ships, in which the proportion was very low, took out only female convicts, and from Ireland.

the number of the educated in any degree is thus reduced to the lowest point consistent with fact, we are left still to the solution of the difficulty of a state of education amongst convicts as high, to say the least, as that which exists in the mass of the population. The answer to which, I fear, is, that such education, even when accompanied by *memoriter* or merely formal Christian instruction, does not act as a preventive to crime. It changes the character of crime, and removes certainly some of the more gross temptations; but it suggests others, which are only better in appearance, and gives an increase of power for planning schemes of robbery, and subsequently of concealment and escape from justice. Reviewing and testing my inquiries, I ascertained in the following year, upon this point, by dividing the prisoners into classes, according to previous education, that two-thirds of the crimes of those described, upon reception, by the schoolmaster, as *well educated*, were forgery and embezzlement. I found, also, that the total amount of property taken by 500 prisoners, being, according to its estimated value on trial, upwards of 10,000*l.*, the average proportion to be set to the account of each man in the *well-educated* class was above 50*l.*, but in the most ignorant class below 5*l.* Further, only 10 per cent of the well-educated seem to have fallen through strong drink, but were almost all frequenters of evening entertainments,

licentious, and extravagant. Some were ruined by gambling. The same love of excitement and of forbidden or dangerous pleasures marks all the classes, varying only according to grade in life, and descending from the tavern or saloon to the beer-house or gin-shop. As we descend in the scale of education, the proportion increases of those who fell from strong drink. In the lowest class fully 50 per cent fell from habits of drinking in public-houses. In crimes of violence a larger proportion will be found. Drunken habits, the source of such multiform misery, disqualify, like ignorance, for success in thieving as a trade. It is most deplorable to observe, that as many as 15 in the 1000 were men of liberal education, although we have not a full proportion of such convicts. Three of these were schoolmasters, and of more than ordinary talents and acquirements ; one stole books, the other committed forgery. The cause of their ruin was as plainly marked as their crimes, viz. frequenting taverns and other places of resort, where their abilities made them conspicuous, which led two of them to intemperate habits, and the third, a man of some genius and extensive reading, to gambling.

The convicts who could read with any understanding were readers of only the light and trifling productions of the day ; and their minds were, in consequence, like a garden in which grew nothing

but weeds. The less educated had not sought, when at liberty, to improve themselves in education; and what knowledge they had was chiefly obtained from conversation in the workshop or the ale-house. The knowledge of revealed religion in all the classes was very much less than that of secular subjects. Children of nine or ten years of age in a Christian family know as much as the very best informed in this respect, with scarcely any exceptions. These exceptions were found where some degree of piety had marked the father or mother.

There is nothing in this to discourage the most strenuous efforts on behalf of sound, intellectual, and moral cultivation of the masses. The abuse or misapplication of a power, can be no argument against its right exercise; neither should that be considered education, and certainly not moral training, which leaves the mind still as the barren waste or luxuriant thicket, or at best cultivates but the memory or imagination, to the neglect of the understanding and higher powers; which aims not at the formation of habits of industry, truth, and uprightness in the young, by precept, example, and daily exercise, nor labours to create and cherish those feelings of self-respect and self-dependence which happily still characterise the peasantry of this country, illiterate as they are, and which, next to religion, are the best safeguards of virtue. Nor, on the other

hand, can that be considered a sound education, in a religious sense, which neglects the cultivation and direction of the intellectual faculties, or presents religion in such a cold and lifeless way, that the feelings of the heart are not engaged and interested, as well as instructed, or which, carried on rightly by pastors and teachers in the church and in the school, is neglected or thwarted at home, where all religious training ought to begin. Of children trained at all aright, the number is small indeed which we have had the pain of seeing here in the character of the felon and the outcast. But in such melancholy cases,—that is, where there seem to have been any pains bestowed, even by one parent, to train up the child in the nurture and admonition of the Lord,—there may be seen a case not yet without hope; for there exists a chord in the hearts of such still, even when apparently most callous, which can be touched. The last thing forgotten in all the recklessness of dissolute profligacy is the prayer or hymn taught by a mother's lips, or uttered at a father's knee; and the most poignant sting of conscience in solitude and adversity, is that which the memory of filial disobedience and ingratitude inflicts.

Passing from the question of want of education as an alleged cause of crime, I next inquired, Was it want of occupation which led these men to rob and steal? “Men do not despise a thief if he steal to

satisfy his soul when he is hungry."—Prov. vi. 30, 31.

Upon this point I ascertained, that of the 1000 convicts, 67 had been employed in offices of trust, 71 as in-door and out-door house-servants, 388 were tradesmen and mechanics, 50 weavers and factory-labourers, 100 farm-labourers, 25 colliers, 15 boatmen, 10 common sailors, 18 in the army and navy, and 256 general labourers and hawkers. I found their average earnings had been (until character was lost), in the well-educated, upwards of 40s. weekly; in the next highest school class, about 25s.; in the second, 15s.; and in the lowest, 12s. I expected to find scarcely any who had saved money from their earnings; but I ascertained that as many as 39 had put by money from their wages beyond annual savings for clothes. The money was lost subsequently by gambling, speculation, business, or sudden fits of extravagance, which broke through all bounds.

It is distressing to see in these returns so many as 67 persons, previously engaged in places of trust, and 71 domestic servants, all young men who began life a few years back with excellent prospects, according to their station. Exposed, alas! to all the seductive snares of our great towns—theatres, concert, dancing, and billiard-rooms, and then to those of the streets and supper-rooms at late hours; in

most cases without any sufficient warning as to what was before them, or one wise and friendly hand at first to steady and direct their course, without home, without religion, they miserably fell, and involving others as well as themselves in ruin and disgrace, have brought many a hoary head, to my knowledge, with sorrow to the grave. Few masters care sufficiently for the young people whom Providence has placed under their direction and control. A careless master, instead of guarding and helping his servant against temptations, puts them in his way; and an employer who teaches his shopman to defraud the public, makes him at once dishonest, and is sure to be robbed himself. There are, indeed, on the other hand, beautiful examples of houses of business now in all our large towns, where everything is done, which can be, to preserve a proper feeling of self-respect in this interesting class, and to shew their young people how by commercial integrity to seek ultimate advancement for themselves, and even to direct them in religion. Such masters discharge a most important duty; and whilst preserving the virtue and the health of the young persons committed to their charge, are at the same time advancing the interests of themselves and society at large. It would be well if all who are placed at the head of a family or establishment

would examine themselves as suggested by the good bishop in the sermon (page 8) already referred to :—

“ Has all the influence which you derive from your station in society been uniformly exerted to promote piety and virtue ? Has the tendency of your example and of your conversation been always wholesome and edifying to those who have been looking up to you for countenance and authority, for instruction and advice ? Or, rather, ought I not to put the question in a different form ? Are you sure that you have not contributed, if not by positive and flagrant breaches of morality, at least by your carelessness and indifference, by your levity and neglect, by some of those idle words of which we shall have to give account in the day of judgment, through some of those innumerable channels by which evil communications corrupt good manners—are you sure, I say, that you have not contributed, directly or indirectly, more or less, to increase the amount of that licentiousness, guilt, and misery, against which it is the object of this Institution (the Philanthropic) to provide a remedy ? I fear there are few among us, who, if we would seriously examine ourselves, and review our past lives, as in the Divine presence, would not find that they have something of this kind to answer for ? ”

Oh, that heads of houses did but consider what terrible destruction to the virtue and happiness of the most promising young persons in situations of trust or service even *carelessness* and *want of proper discipline* on the part of masters have produced upon many to my knowledge. I could recite many and most painful cases of the kind from my own

experience, but prefer to give an illustration from another source, of a most touching and instructive character, and in the hope of directing the attention of the Christian reader to a work which every master and mistress especially should read—"The Prisoners of Australia" (Hatchard).

"Another instance," writes the pious and accomplished lady, whose work that is, "is that of a woman, now also a convict at Sydney, sentenced to transportation for life, upon the charge of robbing to a considerable extent the lady with whom she had lived for *many years* in the high and respectable capacity of lady's-maid. Her history, too, is replete with the lamentable results arising from an irreligious mistress; but we will not detail more than a brief outline of her story. She was most respectably connected, entered service in her nineteenth year, and became exceedingly attached to her mistress, who deemed her worthy of unbounded confidence. But she totally neglected all her religious duties, was persuaded to believe it no harm to work on Sundays, which her mistress frequently required her to do; she rarely went to church; she never prayed; nor did she even read her Bible. On returning to England, after an absence of some months on the Continent, whither she had accompanied her mistress, she passed a short time with a sister who lived as upper servant in a pious family, and who, grieving to see the total indifference of poor Maria to all that concerned a future state, ventured seriously to expostulate with her upon the sin of remaining longer in a family whose ungodly habits had so fatally influenced her own mind; earnestly reminding her that no blessing could rest upon such an engagement, however lucrative it might be. But it was all in vain. She was happy and prosperous in a worldly sense, and, scorning the affectionate and, as she thought, the 'puritanical' counsel of her sister, she returned

to where she feared neither God nor man, in her thoughtless course of impiety. Soon did that sister, whose warning she despised, see her again—but it was *in a prison!* She wept over her, prayed for her, and, without a reproach, now patiently endeavoured to urge her to ‘repent and believe;’ and it was then, as she told me herself, that she would have given all she possessed could she have begun life again as the poorest and meanest of creatures, to be the humble, honest, happy Christian which *she* was whose religion she had so often ridiculed and denied. Vain was now alike the wish and the regret! Allured by a bad man to commit a deed of most aggravated dishonesty, and that, too, against a mistress, who, with all her faults, had loved and trusted her, she was about to suffer for life the just but dreadful sentence of perpetual exile. Yet it is a striking fact, that, softened and self-condemned as she was in many respects, she expressed a bitterness of remembrance towards her mistress, tracing all her own wickedness to the ungodliness in which, under her guardianship and example, she had been trained, both painful to hear and unprincipled in her to admit, against one who had been to her, at least, a kind and generous benefactress. True, it manifested the worst soil of human nature, untouched by Divine grace; but would it have thus sprung up in weeds of such deadly and unhallowed passions, had it been cultured, watered, and planted, with seeds of heavenly instruction, by the hand of a Christian guardian? No; bad and ungrateful as the reproach was, uttered under such circumstances, what was it but the *reaction of principles*—evil falling back upon evil; ‘the grain reproduced, but with thorns around the ear?’ for ‘whatsoever a man soweth that also shall he reap.’”

Other instances of a like affecting character are given in that book; and, on the other hand, honourable mention is made of persons in high station,

and others conducting their households in such a manner as to become a blessing to their dependants. Concluding a most interesting account of this kind, the writer makes the following reference to venerated names, as examples, and to a reflection which aptly expresses my own feelings:—

“ This, I believe, is no exaggerated detail. A similar one, as regards its blessings, might, also, be given of a servant once in the employment of the late Rev. Legh Richmond; and they who have read the deeply-interesting life of the venerable and pious Venn, may remember how important *he* considered the spiritual interests of his domestics; how greatly *his* influence was blessed towards them, and how devoted was *their* grateful faithfulness and respect. Oh, how many, many of our poor outcasts might have been in like manner, through the grace of God, snatched from early ruin, who now languish in Australian bondage.”

To recur to the table of occupations of the 1000 prisoners: one is astonished at finding in that return so small a proportion of the most ignorant and neglected part of the whole community—factory labourers, colliers, and boatmen. There is no cause for rejoicing, however, in their superior morality, as an acquaintance with them in their own districts, as well as in prison, enables me to speak with confidence; the causes of their small proportion in respect to crime being, apparently, rather that their wants and desires are so few, that they are used to the hardest toil, and are worn out prematurely by

a father or mother; and a great number from an ambitious or covetous desire to better their condition, when they were favourably situated as regards virtue; but not a few also from the impulse of those necessary laws of society, which enjoin upon every one grown up, independent labour, although it may unhappily be far from the happy and hallowed scenes of home and kindred.

The total absence of religion in these men previously is even a more prominent feature of their condition than the want of home associations. That one expression in our ancient form of law, "not having the fear of God before their eyes," describes their previous state in this respect. In the greater number of the instances this fear had never been implanted, and in the rest, by habits of sin, it had almost entirely disappeared. The following case may serve for an illustration. A prisoner states that going into a part of the premises on which he was employed in farm service, he saw the carter's box accidentally left open, and in this a smaller one, which he had reason to think contained the proceeds of a sale of farm produce just effected. He opened the box and counted the gold, but terrified with thoughts of the consequences, put it back and went away, but the thirst for the gold followed him, and he returned and took it. He told me that at the time not one thought of God passed his mind—"if it had, he

could not have done the deed, for as it was he had a struggle." It was his first offence against the laws of his country.

I have met with less infidelity than I was led to expect, and where it has been observed, it appeared rather as the consequence of a reckless and abandoned life, than as the cause. The mass, however, were practically atheistic, "without Christ, having no hope, and without God in the world."

Out of 500 prisoners, 141 are stated to have regularly attended, at one time of their lives, some place of worship, *but only five a short time previous to crime.* This statement I have from respectable persons, who were referred to for a character by prisoners, and it accords very nearly with the account given by the men themselves.

Another mark of total irreligion in these young men was their neglect of parental counsel,—their disobedience to parental authority. No one sentence so often strikes the eyes in reading prisoners' letters to parents as this, "Had I taken your advice I never would have been here." No sin is sooner or more universally brought to remembrance amongst criminals than filial disobedience, nor any remorse more poignant. We have seen the stoutest men subdued, and the almost reprobate crying like children, at the recollection of despised instruction or warning from a mother or father's lips.

If to Sabbath-breaking and filial disobedience, we add licentiousness and an inordinate desire for money, not in the way of accumulation, but to have to spend upon what is described in Holy Writ as "the lust of the flesh, the lust of the eyes, and the pride of life," we have the great prevailing characteristics of these criminals; and I believe of all. "The usual process," said the late chaplain of Clerkenwell, speaking of the descent into crime of 100,000 prisoners, "has been impatience of parental restraint, violation of the Sabbath, and the neglect of religious ordinances. I do not recollect a single case of capital offence where the party has not been a Sabbath-breaker. Indeed, I may say, in reference to prisoners of all classes, that in nineteen cases out of twenty they are persons who have not only neglected the Sabbath but all religious ordinances."* And all that seems to remain to be accounted for is, how men who had cast off the fear of the Lord, and lived in open violation of those institutions and of that authority which are placed by the Creator at the foundation of all social well-being and religion, were unable to resist a temptation in one particular species of transgression when opportunity and their imperious necessities urged them to its commission.

* Evidence before the Committee of the House of Commons, 1832.

III.

SYSTEMS OF PRISON DISCIPLINE COMPARED.

It is not possible to convey to the mind of the reader any adequate idea of the extent of the corruption of moral feeling and character, or of the completeness of the education in crime, which goes on in the common gaols of the country, especially before trial, when the legal presumption of innocence prevents the application of discipline.

I have conversed on this subject with a great many intelligent prisoners under my care,—men who, from previous character, were entitled to no small credit, and from what I have heard from them (each confirming the other's statement in every leading point, although, of course, entirely ignorant of it), I have come to the conclusion that prisons, generally speaking, are schools in which everything wicked, deceitful, impious, and abominable, is practised, taught, and propagated, at the expense of public money and public morals.

It is a remark constantly made to me by men who have been several times in confinement, “ If

the first had been like this I should never have been here; I learned more wickedness in one month there than I did all my life before."

A boy commits a trespass—steals some fruit, runs away from his master, or does some mischief—he is committed to prison—forms acquaintances—learns generally some art in thieving, and gets the impression that the life of a thief is better than that of the honest, hard-working labourer, and, if clever and successful, one of distinction; he comes out of prison in a few weeks with his instructors, or, at least, new acquaintances—they invite him to their haunts and amusements—he is seen in their company, and suspected—finds a difficulty in getting back to the factory, or farm, or shop, if inclined to make the effort at all, and often has no home to go to—he commences the tour of the vagrant, or the trade of the pilferer, or, in fact, both.

Of the *process* of corruption of feeling and character which goes on in such places, the reader may form some idea from the following account, given to me by a man who had, unhappily, fallen into crime himself, and witnessed as a prisoner what he describes:—

"In the assize-yard there was a considerable number of what are called first offenders, nine or ten, including myself, the remainder forming an

overwhelming majority; two of them murderers, both of whom were subsequently condemned to death. I cannot reflect without pain on the reckless conduct of these two unhappy men during the few weeks I was with them. As regarded themselves, they appeared indifferent to the probable result of their coming trial. They even went so far as to have a mock trial in the day-room, when, one of the prisoners sitting as judge, some others acting as witnesses, and others as counsel, all the proceedings of the court of justice were gone through, the sentence pronounced, and mockingly carried into execution. I shall not soon forget that day, when one of these murderers was placed in the cell amongst us, beneath the assize-court, a few moments after the doom of death had been passed upon him. Prisoners on these occasions eagerly inquire, 'What is the sentence?' Coolly pointing the forefinger of his right hand to his neck, he said, 'I am to hang.' He then broke into a fit of cursing the judge, and mimicked the manner in which he had delivered the sentence. The length of his trial was then discussed, all the circumstances that had been elicited during its progress were detailed and dwelt upon, the crowded state of the court, the eagerness of the individuals present to get a sight of him, the grand speech of his counsel, all were elements that seemed to have greatly gratified his vanity, and to

have drugged him into a forgetfulness of the bitterness of his doom. He then dwelt upon the speech he should make on the scaffold, was sure there would be an immense concourse of people at his execution, as it was a holiday week ; and from these, and numerous other considerations, drew nourishment to that vanity and love of distinction which had in no small degree determined, perhaps, the commission of his crime. To minds in the depths of ignorance, and already contaminated by vicious and criminal courses of life, such a man becomes an object of admiration. They obtain from him some slight memorial, such as a lock of his hair, or some small part of his dress, which they cherish with a sentiment for which veneration is the most appropriate term, while the notoriety he has obtained may incite them to the perpetration of some act equally atrocious.

“ Remand-wards are hotbeds of crime. During my stay in the remand-wards myself, fifteen or sixteen boys, *varying in age from eight to fifteen years*, passed through the remand-ward of that prison. Throughout the whole day these boys were associated with men who had been in nearly every prison in London. The offences for which these boys were arrested were in all cases of a comparatively light nature ; and what appeared to me to aggravate the evils induced by this vicious system was, that two-thirds

of these boys, when brought up for examination a second time, were acquitted. Here, then, we see a number of boys condemned to association for four or five days with those whose whole lives have been spent in a course of crime ; here they listen to their relations of feats, the cleverness of which they can readily perceive, whilst their minds were not sufficiently cultivated to feel the immorality ; nay, they are even trained in such places to that manual dexterity which characterises an accomplished thief.

“A very young boy, seven years of age, was brought in a few hours after me, charged, in company with other two boys, somewhat older, with stealing some iron piping from the street. The little fellow—it was the first time he had ever been in such a place—cried bitterly all the afternoon of the Saturday, but by the Monday morning the exhortations of his companions, and their sneers at his softness, had reconciled him to his situation, and the eldest of the three was teaching him to pick pockets, practising his skill on almost all the other prisoners. His mother came to see him in the forenoon, and the boy was again overwhelmed with grief. Again his companions jeered him, called him by certain opprobrious epithets in use amongst such characters, and in a short time the boy was pacified, and romping merrily with his associates.”

The Rev. Mr. Clay, who has filled the office of

chaplain of the Preston House of Correction so ably for more than twenty-five years, and who has seen every sort of imprisonment fully tested in that prison, gives precisely the same sort of picture of the moral features of associated imprisonment. The following remarks are from his last Report, where, speaking of the child of fourteen, or ten, or even eight, being turned into a yard or room occupied by forty or fifty older criminals, he says,—

“ Once here, his terrors of a prison soon vanish before the levity and merriment of his new companions. He finds the great objects of admiration and envy are the plunderers who can relate the most attractive stories of daring and successful robbery. Excited by these tales, he soon becomes ambitious of imitating the heroes of them. He is instructed in the *arcana* of the dreadful calling which he has entered upon, by some adept in the craft: and thus a few weeks, or even a few days before trial, have sufficed to convert the child, who, until the verdict pronounced at that solemnity, was accounted innocent in the eye of the law, into a hardened profligate, prepared and tutored for a course of iniquity, and determined to run it! I could furnish a hundred histories of misery and crime springing from the pestiferous society of ‘*the untried felons’ ward.*’ ”

One of those sad histories is given as a fair specimen of many furnished in Mr. Clay’s valuable and interesting Report:—

“ J. B., aged 28, under sentence of transportation, writes thus: ‘ You could not walk about the yard without being abused by some of your fellow-prisoners, or perhaps robbed

of some of your clothing, or some of your food: and your ears were continually assailed with profane language. . . . I was not addicted to it myself, and it sounded very harsh in my ears. Though it was not allowed, they contrived to get both cards and dice. . . . There was a poor man that was very old, and the young ones made him their continual sport: in fact, it was a school of infamy, and nothing else; for when they could find no other thing to talk about, they would be telling of places which they had successfully robbed, or, otherwise, be planning robberies for the future. . . . I little thought, at that time, that I should be transported for a similar offence. I can say little more, only that if a person wanted to make himself a midnight robber or a pickpocket, he need only go to learn his business for one month to such a place as —— House of Correction was in 1841.'"

Thus,—

"The prison, instead of a school of discipline and reform, may become the lazarus-house of a moral pestilence, in which those who are dying of the plague and those who are only suspected of infection are crowded together in one promiscuous mass of disease and death. In this case, it is clear that the offender is treated with injustice and cruelty. The punishment which was justly decreed against him is aggravated by unauthorised circumstances of horror—circumstances which inflict an undesigned, but irreparable injury upon his soul, without adding in any degree to the awfulness and exemplarity of his punishment. Upon the treatment which a *youthful delinquent* receives when detected in his first offence depends, in all probability, his character and conduct for the remainder of his life, and his prospects in eternity. To consign him, *when only suspected* (and therefore presumed by the law to be innocent), or even when

convicted of a slight offence, to a common punishment and an indiscriminate intercourse with the most hardened and abandoned criminals, is to force him into moral contagion, and, probably, upon spiritual destruction."*

From the possibility of carrying on such deterioration of morals in others, the experienced villain is at once excluded by separate confinement, and the less criminal are protected.

It is notorious how fond men in common are of exciting stories of highwaymen and clever thieves; but how much greater effect must these be supposed to have from the lips of a living Jack Sheppard of this sort, and upon such minds as are found within a prison!

But such an one in separation sinks to his proper level as *the unnoticed criminal*; and his heroism in crime being destroyed, there is even hope of him.

Nor can these advantages be secured by any system short of separation.

It was a step towards improvement, certainly, to prevent communication amongst associated criminals by what is called *the silent system*, for a stop is put thereby at once to open blasphemy, profaneness, riot, and obscenity; but this also clearly fails in some essential particulars, if reformation of morals,

* "Christians' Duty towards Criminals," a Sermon, by the present Bishop of London, for the Society for the Improvement of Prison Discipline, 1828.

as well as the correction of the offender, be desired.

It keeps alive old associations by perpetual and daily exercise. On every side the individual is surrounded by persons of the same stamp. If long in the trade of thieving, he knows a great number. If only for the first time committed, he has made some acquaintances, if not in the streets, in the remand prisons ; he now recognises them. He is recognised in turn. Every sessions and assize bring him news in some new comer, and the winking of the eye, the movement of the finger, a sneeze, or a cough, is enough to communicate what is desired. The length of sentences is discussed in this way by a great number, and in the mind by all. They come in and leave at different times ; so that every week, almost every day, in fact, in a large prison tells some tale.

Classification of prisoners according to the technicality of legal distinctions allows no approach whatever, seemingly, towards separating the very bad from the better sort. They are continually changing places, those in for felony in one sessions being in for larceny or assault the next, and *vice versa*.

If the classification were left to such able and experienced men as those who govern the prisons on this system in the Metropolis, the Middlesex and

Westminster Houses of Correction, it would be very much better ; but no classification could prevent the evils referred to. They are essential to the system. As things are, it is a most distressing sight to see a child of nine or ten years old sitting by the side of a man who has grown grey-headed in wickedness ; a novice in crime next to a receiver of stolen goods, who will meet him in the streets in a week or two, and urge him on to crimes of which he himself may reap the profit ; a virtuous young woman committed for some petty theft by the side of a shameless, infamous, and abandoned person, or a diabolical betrayer of her own sex !

But it does more than keep alive such associations and habits of thought, although these alone, whilst permitted in the mind, can allow no reformation ; for either the sympathies of the man, true to nature, and the feelings of a heart not yet hardened in viciousness, are so drawn out towards his companions in suffering that he gradually becomes one of them at last, in disposition and character ; or, wrapping himself up in selfishness and sullen pride, he hardens his heart against all feeling, and hates officers and fellow-prisoners alike.

Then, the silent system presents so many temptations to communication, as to render two things absolutely necessary, both unfriendly in the highest

degree to real reformation,—perpetual surveillance and perpetual punishment.

If there exists neither of these conditions in a prison on that plan, then there must be that which marks the older styles of prisons. If strictly carried out, the man placed under it, though he means to do well, must be in constant fear. But the dread of punishment is no element of real reformation. You may make a man obedient by it and passive even under oppression, but in doing so you may be destroying the only ground for hope of reformation. Distrust a prisoner, and he will not trust you; oppress him, he will kick against authority openly, or, retiring within himself, will spend his time in concocting plans for escape, for evasion, for annoyance. Treat him as a fellow-man, though fallen and debased, and there is hope.

How can a prisoner ever consider himself safe from accusation or from punishment so surrounded and so watched—watched in every movement of his feet, his hands, his lips, his eyes,—watched in his sleep, watched in his very *dreams*?—or how is it possible for him, under such circumstances, to make any effectual effort towards virtue and self-respect?*

* It is but just to the reader who may wish to know more on this subject to refer him to an able defence of the Auburn, or silent system, published last year by Murray, entitled, "Prison Discipline in America," by Francis C. Gray.

From all these defects the discipline of *separate confinement* is free.

Under it the propagation of crime is impossible. The young, the comparatively virtuous, the penitent, are protected. All are punished, and the *worst most severely*. The continuity of habits is broken off, the mind is driven to reflection, and conscience resumes her seat. The individual, whose intentions are good, may begin to cherish those feelings to which we have referred as impossible when associated with the vilest of the vile. It is sufficiently severe as a legal punishment in itself. There is no need of harshness of manner, nor loudness of voice in officers to enforce order, nor can it excite in such men those feelings which so often find vent in irritating language towards congregated criminals.

It requires also no severity *for example's sake*, I mean in punishing for prison offences; and so the peculiar character, disposition, and circumstances of the delinquent, may fully be taken into account in every case. The contrast between the number of punishments in Pentonville prison on the *separate system* and Cold-bath Fields' prison, the Middlesex House of Correction, on the *associated silent system* fully bears out those remarks.

Thus, in 1847 the number of punishments in the former was 220, the whole number of prisoners in that year being 701; whilst in the House of Correction,

according to the Report of the Inspectors of Prisons, the number of punishments was 10,807 amongst 8886 prisoners in the course of that year. It is to be noted, also, that of the cases of punishment 25 men and 24 women were "in handcuffs or other irons," whereas in Pentonville there was only one case which called for such an infliction.

I am far from thinking, however, that we have yet attained to the full benefits which the individuality of the separate system holds out for admonition, expostulation, and the use of moral means of correction for the breach of prison regulations.

In a prison like this, where so many advantages in the way of trade, education, and books exist, this moral discipline may be carried out by the withdrawing for a time such privileges as have been abused, and by advancing in severity, according to the repetition of the offence or its moral turpitude, until the *refractory* ward be used in its different degrees also, and terminating in the deprivation of light and ordinary food, the two last things of which a prisoner should ever be deprived, especially under separate confinement.

Such a gradation of punishment, and such analogy to the offence, is, in fact, contemplated by the Act of Parliament for the establishment of Pentonville.

Separate confinement thus relieved from the ne-

cessity of inflicting disproportionate punishment, admits also of the application, under the very strictest discipline, of much kindness. The stout-hearted can be kept down without brute force; all may be reasoned with, and every single prisoner experience the influence of that which Inspiration so beautifully calls THE LAW OF KINDNESS. Now of all things, kindness most smoothes the ruggedness of temper, subdues antagonism, and clears the ground of impediments to the culture of right feelings and principle.

If this be combined with firmness of purpose, and a superiority of mind in the administrator of discipline, then discipline becomes a very valuable part of such reformatory means as can be used in a prison.

The following facts will shew better than many words some of the great advantages of separate confinement above referred to:—

“E. E. S—— was a Jew, a young man of a respectable German family, who had the calamity of being confined in a common prison in this country. Naturally not good-tempered, and now greatly depressed, he felt little disposed to join in the rough and boisterous games which take place in the night-rooms of that prison after locking-up time. The discovery of his temper and pride to his fellow-prisoners heightened their merriment: they now

had one whom they could all torment, and no opportunity was ever lost, day or night. Awakened out of sleep by the infliction of a blow or some sort of torture, he was perpetually calling for help and shouting murder. Officers came, of course, to calm the tumult, but his complaints were drowned in those of his more cunning and confederated adversaries. The consequence was, he was frequently punished. He sought for protection from the higher authorities whenever they visited the place, and got no redress, but became as odious to his officers as he was to his oppressors. No prisoner dared to tell the truth, though two or three were disposed to stand by him. For months after he came to Pentonville Prison the poor man could speak of nothing but the injustice and cruelty of the English. At last he became quiet, and even cheerful, under different treatment; studied most assiduously the New and Old Testaments, in reference to the claims of Christianity upon his belief; withdrew himself from the teaching of his Rabbi, who could not satisfy his inquiring mind, and before he left professed an entire acquiescence in the truths of our Divine religion."

I may here state that there being found some extenuating circumstances in his case, his sentence was commuted, and he was allowed to return home. Subsequently I received a letter from an illustrious

foreigner, "whose praise is in all the churches," Chevalier Bunsen, concerning the young man, nine or ten months after his return to Germany, in which he states, "I have no doubt of his sincerity." I have had letters, also, from himself, and have the same impression.

F. T—— was a young man once distinguished in all the sports of the field, and the son of a very respectable person, whose large family of sixteen children had only this wild one in it. He contracted extravagant habits, gambled, fell into crime, and came to our prison. About three months after, upon seeing his wife, and brooding over her sorrows, he made a desperate attempt to effect his escape, but without violence to any one, and by great skill and strength combined, very nearly succeeded.

Our Board wisely, as well as humanely, treated this grave offence with comparative lenity, there being no necessity for severity for example's sake, and on my petition subsequently lessened the punishment awarded by one-half. The extent of his punishment was then fourteen days' solitary confinement in the refractory ward and twenty-four hours in irons. When I visited him the following morning, he said, "I have been more afraid of seeing you, sir, than of anything." I said, "T——, I am not come to reproach you, and add to your

punishment; I have come with sorrow to see you: you have done wrong and foolishly, and must now bear the consequences." I stopped a good while with him, and he fully opened his mind to me, telling me what led him to make the attempt, &c. One remark he made I often think of as an illustration of the consequence of taking one wrong step, "I would have given the world to have the *first* brick back again."

The treatment which this man received under the discipline of separate confinement forms a remarkable contrast to that which another, here at the same time, received in a county prison, who, under very similar circumstances, attempted the commission of the like offence there, and was in consequence six months in heavy irons during a cold winter. That prison he left for Pentonville, irritated in his feelings and shaken in his more than ordinary manliness of form; here his mind became calm and resigned, under great trials in addition to his long imprisonment.

Against all these advantages, in a moral point of view, of separate confinement, it has been urged that, as a punishment, it presses with undue severity upon the physical and mental health of the prisoner. This I do not believe to be the case, unless carried out, with unnecessary rigour, to an extreme length, or with an absoluteness of rule

which allows no deviation of treatment, notwithstanding the amazing diversity of the human mind. It was carried to an extreme in America, with disastrous results, also in the Millbank Penitentiary, after that model ; and it is now proposed on the Continent to be carried out in the same manner, notwithstanding that this country—looked to as an example now, in some measure, in this respect—is shortening its term of cellular imprisonment, which yet never reached more than one-fourth of the period referred to in the following extract from Mr. Clay's report, speaking of the Congrès Pénitentiare last held at Frankfort :—

“ M. Mittermaiér, President of the Chamber of Deputies of the Grand Duchy of Baden, stated that in Baden complete separation was limited, by law, to six years, unless the condemned expressly demanded a continuation of it. M. Suringar, President of the Netherland Society for the amelioration of prisons, asks, ‘ What should be the maximum duration of separate imprisonment ? Formerly, I considered six or seven years as the term. I have changed my opinion since I have seen Pentonville ; and I am now satisfied that if imprisonment should be continued for a longer time, means will be found to render it more supportable to prisoners.’ The opinion formed by M. Suringar from a *visit* to Pentonville, and Mr. Kingsmill's from *long experience* there, are widely different. These long periods of separate confinement have not yet been *tried* on the Continent.”

At the same time, I think nothing has been proved by comparisons of results between prisons

like Coldbath Fields, where the confinement averages only about two months, and Pentonville, where the average has been eighteen, followed by transportation ; and I can conscientiously say, and as one who has watched the experiment as jealously as any man from the first, that I have no fear for the future success of the system here whatever, although the average length will still be five or six times more than at that prison.

“ In discussing these questions it should be remembered, that, abstractedly considered, punishment is an evil tending to depress or irritate the mind, and consequently prejudicial to the physical health.

“ The different modes in which human punishments are administered are necessarily artificial, but, if based upon a sound knowledge of human nature, and regulated by a spirit of justice and benevolence, they assume the character of those natural or divinely-appointed consequences of wrong doing, which are not merely penal, but mercifully adapted to the correction and restoration of the offender.

“ And since we find, that for the most part great afflictions are the appointed consequences of great moral delinquencies, and that under this natural correction some minds and constitutions, both amongst the penitent and impenitent, are broken and im-

paired, it must not be expected that such results can be altogether avoided, under any penal institution, which human wisdom or benevolence can devise."—*Sixth Report of Commissioners of Penitentiary Prison.*

IV.

ON THE RESULTS OF THE EXPERIMENT AT
PENTONVILLE AS REGARDS MORALS AND
RELIGION.

“ It is something to make an offender feel the temporal inconveniences which his crime has brought upon him ; it is something to convince him that a course of honesty and industry is the most advantageous to him in a worldly point of view ; it is something to initiate him into those useful arts by the diligent exercise of which he may raise himself above the temptations of indigence ; but it is infinitely more than all this . . . to send men forth into the world, emancipated from its evil influences, transformed by the renewing of their mind, reconciled unto God by Jesus Christ, and enabled by His Spirit to walk worthy of the vocation wherewith they are called. It is true that in the case of those who have been hardened by a long intercourse with the deceitfulness of sin, this work of reformation is an arduous and unpromising, and, except to the persevering energies of Christian charity, a hopeless task. Still it is to be attempted.”—*Sermon by the present Bishop of London for the Society for the Improvement of Prison Discipline*, June 22, 1828, pp. 12, 13.

IN considering the accompanying facts adduced in attestation of much good having been effected, by God’s blessing, upon our prisoners’ character in separation, let it be borne in mind, that the test of

reformation to which prisoners, and especially the transported, are subjected, is the severest that can be well imagined,—being separated from home and kindred; the husband from his wife; the son from his parents; without capital or character, and assisted with few helps in the way of religion in the land of their exile. Let due weight, also, be given to the force of inveterate habits of vice and criminality which had marked most of these persons.

But, first, I shall say a word or two on the improvement of the prisoner's mind by education and reading.

Although the chief value of schoolmasters amongst our prisoners consists in making the ignorant acquainted with the language in which Christianity is communicated to them, that they may read in their own tongue the wonderful works of God, and understand what they hear from the ministers of that word, I am not insensible to the great advantage to be gained towards this end in elevating the mind by the cultivation of habits of thought and reflection in men who have been marked by a want of all prudence and consideration;—by exciting a desire in them for reading and a profitable use of leisure hours;—by giving them sound principles of knowledge, and directing them how to carry these out by personal investigation;—by encouraging and assisting them, in fact, in every effort after intellectual improve-

ment. Accordingly, they are taught the ordinary branches of useful elementary knowledge, and allowed to advance then as far as they can within their limited hours, by the help of suitable books, and with a degree of success which I certainly did not expect in adult learners; such, also, as to shew satisfactorily to my own mind that the system of discipline under which they were placed cannot be generally injurious to the mind.

Let the following facts be considered on this point:—

Of our first 1000 prisoners, 402 were unable to read with any *understanding* upon their admission. Only 48 left in that condition. Another indication of mental improvement is, that there being only 102 of the number beyond the first four rules of arithmetic on entrance, 713 were in that condition on leaving.

The improvement of some minds has been truly surprising. Beginning in the lowest of the three classes, they have ascended to the highest, and, being well grounded, have gone on to improve themselves without further help, except by books placed in their hands.

Some, tolerably well educated at first, having contracted habits of light and desultory reading and thought, have set about to correct those errors by the most laborious process of mental application, and

successfully. One young man, most promising in religion, I cannot but mention as an instance of what I mean, who set about and completed a long and most tedious series of logarithmical tables, in order to correct what he discovered to have been his great fault in reading—want of continuous application.

Another instance of the same kind may not be uninteresting to the reader. It is that of a young man, who having succeeded, through excellent conduct in Australia, has since been joined by his whole family as free emigrants. This prisoner so cultivated his mind in solitude, and latterly with the help of books only, that he was sufficiently well grounded to begin a course of study in the higher departments of almost any one subject of useful knowledge. His proficiency in the trade of basket-making was equally remarkable. Being very much interested in this young man, I took a copy of one of his letters to his family, of which the following are extracts:—

“ I will tell you how I amuse myself of an evening after work, on school days and at meal times. I peruse and study those works which you were so kind as to send me, and then, when my hands are busily engaged in ‘bending the pliant twig,’ my head is equally busy in applying the theory. I divide my subject into three parts, and allot a fixed

portion of time to each; and when I am at the pump or exercise I have a turn at mental arithmetic. That pump is a rare place for summing; the revolutions of the handle answer the purpose of a slate, and the clicking of the wheel makes it equal to any ready-reckoner. During the summer I had an hour's practical experience in the study of natural history every day; it was on rather a small scale, and I dare say you will smile at it, but it gave me information and amusement too. In front of our airing-yard there is a grassplat, and I distinguished about a dozen different sorts of small plants and grasses, to which I gave names of my own. I found out at what time they came into flower, how long they remained, and the degree in which each was able to bear the drought that occurred. I learned the habits of several kinds of insects; and the sparrows, building their nests or feeding their young in the holes of the wall, afforded me another source of entertainment. Such is the plan I have adopted. It may seem foolish to you, who may look about you as you please, but it is to this I attribute, with God's blessing, the good health I enjoy and the rapidity with which time passes away."

Observing his taste in this new direction, I took him a book next day on botany, saying, "Here is a book, D——, which will give you the right names of your plants."

Beyond these three things, however, intelligent reading—legible writing—and arithmetic in its principles and practice, little remains to be desired in the way of education for prisoners in general. I do not say that the teacher should not be competent to teach more. It is no small error to think that education, even in elementary subjects, can be imparted to any good purpose by inferior schoolmasters. In nothing is superiority of mind and attainments of more value than the work which the schoolmaster has to do. The badly educated, who have entered this prison, have made less real improvement than the totally uneducated. A little taught on right principles, and so as to interest and help the mind to pursue it, is, as far as my experience goes, very much better for the improvement of the mind than much knowledge communicated without order or good foundation. It may be necessary in separate confinement, with men of a better education, to supply a greater variety of subjects of knowledge, but this may be best provided for by books.

I am astonished to find that education is considered in the very excellent gaol at Reading as a part of the penal and deterring character of the system there pursued. My experience does not concur with this view of education at all, as regards the mass of criminals. It has been looked upon here by prisoners as a great boon. And I cannot

but think, that in proportion as it assumes the character of a penalty, it loses that of a means of reformation.

One remark further on this subject. If there be such power in secular education to improve the character, as many imagine, we have in Pentonville this element of hope as truly as if it were considered by us the primary one; and I suppose not even an infidel would assert that its benefits can be neutralised by the admixture of that which is Christian. Yet those who are most ready to cry up education are most suspicious of education in a Christian form, although wherever this is given aright in an individual or a nation, the cultivation of the mind follows as a matter of course, and being in its natural place, assumes a strength, a dignity, and elevation, which is truly admirable, and beyond question beneficial in its effects. If, in fact, the only object were to cultivate the mind, I am satisfied, from experience, that the best way to succeed is, to begin with its moral and, so to speak, religious faculties; that is, with the heart and conscience, by the wise application of the dread sanctions and high motives of religion. Pure Christianity is an educational power of the highest order; and every chaplain who does his duty as a minister of religion in a prison, whilst seeking the salvation of souls, is a schoolmaster also. Thus I am wont to consider, from perpetual ob-

servation, the daily exposition of the word of God, in conjunction with our scriptural prayers and hymns, a most important part of the education of our prisoners, in the way of teaching them to read, to think, and to feel. This led me, some time back, to make the following remarks, which will help the reader now to pass on with me to the consideration of some of the good fruits resulting from the means applied here for the reformation of criminals.

“The benefits resulting from a daily religious service, in which the prisoner takes so large a part, and in which the Gospels and other Scriptures are read consecutively, and familiarly explained, presenting to the thoughts, as they do, such wonderful variety of incident, illustration, and instruction, seems to us very great, not only as regards the only sure hope of a permanent reformation in the principles and character of the man, but also as a means of preserving the social feeling alive in the prisoner towards his fellows and superiors, and as creating in the right-minded officer a bond of common sympathy with the prisoner, where sympathy can be exercised with the greatest advantage to discipline and good order.

“Christianity, if it accomplishes nothing more, civilises man, subdues ferocity, procures respect for laws, improves the mind by enlarging and ele-

vating its conceptions, and gives vigour and judgment to the conscience. This aspect of religion is constantly presented to our view.

"This influence appears most striking on board a convict ship, where two or three hundred men, sometimes crowded together below deck, are seen to become calm, orderly, and attentive at the voice of a minister of religion calling them to Divine Service. In one of my last visits to a ship of this kind, I was particularly struck with the extent of this power. There were prisoners from Millbank as well as from Pentonville on board. There was not a free person in the congregation, but the minister. The surgeon was elsewhere engaged, and the religious instructor had just gone on shore. The confusion was greater than I had ever witnessed; and on intimating to some prisoners my purpose in coming to the ship, they said it would be perfectly impossible to obtain a hearing. I was led from experience to think differently, and made the attempt with the ordinary result of having an orderly, attentive, and deeply interested congregation. When I told them what I came for, they thanked me, and took their places. When I was leaving, there were few who were not affected, and all expressed their gratitude in the most hearty manner."

Nor is this influence so transient as some would represent. Of 200 Pentonville men, considered

here the worst of the convicts, and in general really so, who were sent to Van Diemen's Land some years back as holders of tickets of leave or as pass-holders, in the midst of most horrible wickedness of all kinds, it is certain, from official returns, that there were only 20 punished in that island for any offence during a period of about two years ; the greater part of the offences being described as " being drunk, out of hours, or disorderly," and only one of the number for theft. This last case, however, being that of a prisoner who had made a profession of religion, with a very few others of a like kind, have, of course, been laid hold of by persons as proof of a general declension in religion and morals of the prisoners professing it in prison, illogically and contrary to fact. Indeed, it is very probable, should such persons read the statements which follow in this chapter concerning certain prisoners, that they will be the first to object, that the argument drawn from the particular to the universal is not valid. Therefore it may not be unnecessary for me here to say, that I am not proceeding to do anything of the kind ; but being convinced from the most watchful, and, as I have said, almost jealous observation of the experiment, of the beneficial results which have followed the treatment of convicts in this prison, when compared with older systems, upon the *great majority* of their number, I have undertaken to give to those

who do not deny the saving power of the Gospel, and what may be called its civilising character, some illustrations of the kind which recur to my own mind with pleasure, astonishment, and thankfulness, and of which I can truly say, that they are not done justice to by so brief and bare a recital as mine necessarily is.

Cases of real conversion to God a Christian will expect from the use of Christian means; but the questions with which the Legislature and the country have to do are rather, How many of these convicts *have ceased to be injurious to society*—have become *sober and orderly* as the class to which they originally belonged—*are industriously labouring* now to get their living, and scrupulously regarding the rights of others? The answer to which is,—the overwhelming majority of them. Moreover, God has not left Himself without witness, or His servants without encouragement, in their first and great concern for the salvation of undying souls.

I shall give, in the first instance, a few illustrations of the kind referred to, taken from what must be considered the most injurious and hopeless class—clever and practised thieves—men who *teach* crime to the less initiated in common gaols, and who are looked up to by the less daring and accomplished as examples and models.

There were three men of this stamp in this prison
—G. H., J. R., M. M.

The first of these had escaped from several county gaols, and committed robberies to an amazing extent. The second once planned *in gaol*, with another prisoner, a robbery (and murder if opposition were made), to be perpetrated when their sentence of a few months had expired. The last had been for years a prize-fighter and low gambler on race-grounds, &c., guilty of enormous crimes. In former prisons, as well as out of doors, these men had never exercised their minds on any good thing, and were, consequently, most ignorant of all truth, and, from the nature and system of their crimes, such as would be called altogether reprobate. When I used to see these men within these walls on a Sabbath-day reading their Bibles and asking intelligent and anxious questions upon the contents, the thought constantly recurred to my mind of the dispossessed man when he was found "clothed and sitting in his right mind." These men were first awakened, as I believe, to a sense of religion under the faithful and affectionate ministry of the Rev. James Ralph, then senior chaplain, but for several years since rector of St. John's, Horsleydown. The accounts which have reached us of these men have been hitherto uniformly of a most satisfactory nature. In the first case mentioned, I was not without fear that when

on board ship, being known by so many as a hero in his former horrid line of life, he would be drawn into a recital of his exploits, and so do mischief to others, and, as I warned him, certainly fall back himself; but nothing of the kind occurred. His ardour of mind was happily otherwise directed, and he was entirely engrossed with the salvation of his wife, who had been a partaker in most of his evil deeds, the preservation of an innocent child from infamy, and the having them to him abroad, that he might perform to them a husband and a father's part. With such feelings in his bosom, he composed prayers suitable for their use, wrote most affectionate letters from this place, and since then from Van Diemen's Land, and sent me two several remittances, amounting to 11*l.*, the greater part of which is now gone without my having been able to effect the object which the poor man has at heart—their emigration to him.*

* The writer has been led at the present time to publish this little work, in the hope that the profits from its sale, or contributions from benevolent readers, may enable him to carry out that object at once. Through the kind liberality of the Philanthropic, St. George's Fields, before the breaking-up of its female department, the girl was put to school under the most excellent Christian instruction, and supported there now for about four years. She is now about to leave, and unhappily, from delicateness, is unfit for service, and unless rescued in the way proposed, must return to live in a bad part of London, and to be exposed to the *very worst* temptations.

The following case is one of an extreme, although different kind, and not without its moral :—

Of this man, in the midst of the gross wickedness which characterises Tasmania, I was gratified to hear the following testimony from a resident gentleman : “ I met the other day a very respectable man who had engaged —— on his leaving the ship, and he told me that he turned out very well ; that he never heard him utter a bad word, and that he uniformly reprobated the other men when he heard them swear. He said that —— was one of the very few in whom he could place confidence.” This man professed religion here, but coveting a little book belonging to this prison, he concealed it for a time, with the design, I believe, of taking it away. He was consequently degraded, and very nearly to the lowest convict class, which, at that time, used to be sent to Norfolk Island. Of course his profession of religion appeared at the time, in the eyes of most, to be mere hypocrisy.

The next is a sad one, but not yet without hope. It is the case of an educated person, and by birth a gentleman ; dissolute and gay, he had wasted his substance in riotous living, and casting off the fear of God, had deeply imbibed the poison of infidelity. Like most persons who profess scepticism, he was proud and conceited, and of such egregious vanity, that he plaited a ring of wicker-work to wear on his

finger in his felon's cell; and when asked what part of his punishment pressed most heavily upon him, his answer was, the absence of his toilet; which, whether true or false, equally shewed the character of the man. This man was shaken at length in his infidelity by the simple relation of the following circumstance in my parochial ministry:—

“C—— was a skilful workman, and a very clever man in argument and debate, but inflated with vanity and shockingly dissolute. He was the constant frequenter of public-houses, and neglected his wife and little children. The applause which his wit elicited, and the pre-eminence which superior talents gave him amongst his fellows, made him more daring and impious. He avowed himself an infidel, and drew others with him; but all who feared the Lord separated themselves from him. (Psalm i. 1.)

“It was reported, that in one of their nightly revelries this wretched man and his companions produced a Bible, held it up to derision for a time with awful blasphemies, and then burnt it in the fire!

“Returning home one morning after a night's debauch and horrid impiety of this kind, he became terribly dejected, and consummated his career of wickedness by self-destruction. Restored, however, for a while, as by the special providence of God, and perfectly conscious, I was hastily summoned to his

bed-side. The recollection of the scene which I then witnessed fills my heart with horror. His family could not bear the sight. His infidel companions kept afar off,—I was alone with the dying sinner; when, with fearful efforts, he uttered exclamations of remorse, and acknowledged his guilt. I asked him the question, ‘Whether, when he ridiculed the Bible, and led others on to the same, he was satisfied in his own mind that he was right?’ He answered, ‘No.’ I asked him then, ‘Did you, or did you not, embrace infidelity in order that you might follow your lusts and evil propensities with greater freedom, *wishing to think* Christianity false, *rather than believing* it to be so?’ (I remembered what the Psalmist says, ‘The fool hath said in his heart, there is no God.’—Psalm xiv. 1.) He answered with indescribable emphasis, ‘I did, and that makes it all the worse.’ ‘Do you renounce, then, your infidelity?’ ‘I do.’ ‘Are you willing I should tell your companions so when you are gone, and warn them, from you?’ ‘Oh, yes.’ ‘Do you cast yourself upon the mercy of God in Christ, who came to seek and to save the lost?’ There was no answer, but he seemed to intimate that I should pray for him; soon after which the death-struggle followed, and he was no more.”

Some weeks afterwards he asked me the name of the infidel, under the impression that he had known

the man; but although I seized the opportunity to pursue the subject, he said nothing further, nor ever acknowledged to me that his unbelief was gone. With much misgivings, therefore, on my part, he was allowed to go out like other well-conducted prisoners. The writer of the first lines given in the introductory chapter, going in the same ship, and being an able man and in principle an orthodox believer, I obtained his ready promise, if infidelity were broached amongst the men in any shape, that he would silence it and put it to shame. The request I made as one asking for a personal favour, and expressing my heartfelt regret that he had not himself yet received the truth in the love of it, which, as a theory, he knew so well. Happily my fear proved groundless and my precaution unnecessary; for when I visited the ship, and made inquiry about the behaviour of the men, I ascertained from the religious instructor that the sceptical prisoner had requested him to buy out of his money several standard religious books, including Wilberforce's "Practical Christianity," of which I had once lent him a copy, and was standing up for religion and order in every way, saying grace, for instance, at the head of his mess.

On the subject of infidelity, it may be as satisfactory a fact to others as it has been to me, that I have known but one case of infidelity in this prison to stand out, to the last, proof against the daily teach-

ing, the personal perusal of God's word, and the power of conscience awakened in solitude and affliction. So truly was this wretched man, however, without principle, that he professed belief at the last moment, subsequently found to be hypocritical, but happily he did not deceive any one.

Of the conduct of the men in general, the accompanying extracts from the letter of a gentleman* competent to form a judgment give a very fair picture :—

“ The conduct and general character of these men when embarked, contrasted with those of my former charge, was very striking. I think I may say they were everything that could be expected. The chief thing to be desired was to keep up to what they had already attained; I am enabled to say that such was the case, and that throughout the voyage the consistent conduct and character evinced by the men generally induces me to express my full confidence in a system that tends so much to reform the criminal portion of the community of our land.

“ Many of them came under my notice during my stay in Melbourne; indeed, for the first fortnight I was as much engaged with them as when on board the ship. It will be gratifying to you to be informed that, although surrounded by so many temptations, I have heard of only one of them committing himself. Many have manifested a desire to appear respectable, to become useful members of society,

* Mr. Charles Cooper, formerly schoolmaster in Millbank Prison and subsequently religious instructor on board ships with ordinary convicts and with convicts from this prison, to the latter of whom his remarks apply.

and to shew that they merited the great boon bestowed upon them by an enlightened and liberal Government.

“Thinking you would be glad to know something of the men who have been in the colony for some time, I have, with the concurrence and assistance of His Honour the Superintendent, obtained what information I could respecting them, which is very satisfactory, although some things must be mentioned with regret. For instance, during the past year 3 had been sentenced to transportation, 4 were imprisoned, and, at the time I write, 2 are awaiting their trial for robbery.* On the other hand, the testimony borne by several gentlemen whom I saw, and some with whom I corresponded on this subject, is very pleasing. One writing to me, says: ‘I have had men in my employ from almost every grade of convictism, and from what I have seen of the exiles, I give them the preference to all others; they are industrious and attentive to their duties, and many of them good moral men.’

“A gentleman who came from the interior of the country said to me, ‘I am satisfied that this is the best kind of convict labour we ever had in these colonies. I prefer these men before the ordinary class of immigrants who have come out free, and very far before the expired convicts from Van Diemen’s Land; and that I might engage some on board the ‘Joseph Soames,’ I have travelled 250 miles.’ One of the most influential merchants in Melbourne told me that he was much pleased with those he had engaged; so much so, that he had placed one of them in his counting-house. This gentleman has seventy men in his employ, and for attention to their duties and general good conduct, those who were exiles of that number excelled. Some other instances alike

* Presuming the latter both guilty, the number of these men will be 9 in more than 700 of our prisoners in that colony in 1846.

encouraging I could mention, but hoping to be spared to return home, I should then be enabled, if you desired it, to enter more fully into the statements I have made, and give any further information that I might possess on this very important subject.

“ (Signed)

CHARLES COOPER.

“ *Melbourne, November 27, 1847.*”

I may add further, that not a few of the exiles have now transmitted money home to their families, to my knowledge. One who had been a very reckless youth, and not considered very well conducted here, as regards prison rules, sent as much as 15*l.* lately to his poor aged parents.

Several have become resident householders in Melbourne, and are, by the most praiseworthy efforts, recovering in the colony the character which they had lost in their native land. However anomalous the position of such men may be, it is inseparable from the use of such means of reformation as they have been brought under in Pentonville, and from such a fair start into life again being given to them, after their severe term of probation, as true economy suggests should be offered to men of hopeful character.

I would now offer a few remarks on the subject of a decided religious change having taken place in many prisoners.

The number admitted to communion out of 1500

prisoners is now more than 300, after an examination into their state of knowledge and feeling, extending to several weeks from the first intimation of the desire, and after six months' ordinary instruction. Now, certainly, out of this number not 20 individuals, subsequently to their confinement here, have committed themselves in any manner whatever, to our knowledge, and not half that number by any act of immorality. I have watched the course of these men with more than ordinary anxiety, and, upon the whole, with more than ordinary satisfaction and thankfulness.

The particulars which follow about some of these men will shew that the latter feeling is not without grounds; and it deserves remark, that the men placed in situations of most trust amongst their fellow-prisoners, without any suggestion from the chaplains, as well as those subsequently singled out by the surgeons superintending the several ships, as most deserving of praise, have been, beyond all proportion, of this number of communicants.

— was a young man who had led a dissipated life for a very short time, when, falling into the hands of experienced villains, he became their dupe, attempted to pass false money, and was convicted. This youth became at a very early period impressed with the truths which he here heard, and was led to adore the goodness of God in checking him in an

evil course so soon. He gave his mind so eagerly to improvement, that his long imprisonment of eighteen months did not oppress him in the least; he was patient and submissive to the last, without once experiencing depression of spirits, except when he felt the burthen of his sins, and did not see clearly the redemption which is in Christ Jesus. Singular as it may appear—speaking of prisoners in absolute separation—his conduct in the House of God was considered so consistent and so devout by the prisoners in the adjoining cells, that these both had formed, as I found subsequently, a very correct notion of his piety. One of these prisoners, whose own case I shall presently mention, writing to me off the Cape, speaks of the conduct of this young man on board ship as being of a decidedly Christian character, adding, “He is as steady and exemplary in society, as he was in Pentonville.” His own letters subsequently, and his whole conduct abroad, fully bear out this character.

—, the man in the adjoining cell just referred to, was of as different a temperament as possible: restless, impatient, obstinate. He had fallen, moreover, from a higher station, and had drunk more deeply the cup of sinful pleasures. For twelve months this man never joined in the singing and responses (which are in our chapel, it may be said, of a very hearty kind), although he had been well

accustomed to both, and was fond of music; his feelings bearing, perhaps, a morbid similitude to those of Judah's captives (Ps. cxxxvii.) The amazing restlessness of his mind made me anxious for its safety, and I was led to devote much more time and thought than usual to his case, allowing him, also, in my interviews with him, the most unrestrained liberty of discussing what he considered the inhumanity of the mental torture to which he was subjected, and never doing more on my part than listening, and suggesting some of its moral and religious advantages to such as embraced them. Happily, at length, he was led to seek rest in Christ for his troubled spirit; and, finding this, he then could say, "He hath put a new song in my mouth, even salvation to our God." Jesus had spoken to his heart, "Peace, be still:" and there was a great calm. For six months subsequently in prison he exhibited so different a character from himself in the former part, that he was recommended by the governor to be superintendent of his fellow-convicts on board ship, and admirably, as we have since heard, did he discharge the duties of that very difficult position. Under God, the conversion of this young man was effected, as much by the instrumentality of his believing relatives' prayers and tender, sympathising exhortations, as by our own ministry. Often did their letters bring

tears to my own eyes, whilst they encouraged me to continue to labour for his salvation. They had been, nearly ruined by his extravagance, and were brought very low, but not a word of reproach ever escaped them, and they always made the best of their circumstances. And now those of the family who survive have their reward, for he is now their comfort and their joy ; not only walking consistently as a Christian, but usefully, in a high degree, as a teacher of those truths, in a land of great spiritual dearth, which were made precious to his own soul in a prison. I have seen a letter from the clergyman under whom he is acting abroad, which speaks in very high terms of the value of his services. It may be more interesting to the reader to see one of his own. I therefore give the last I have received, only a little abbreviated :—

“ I can hardly describe what pleasure I have in acknowledging your last letter, received in beginning of December. God bless you, dear sir, for your affectionate and Christian kindness ; for I really feel you have not only been my friend in the darkest day of man’s adversity, but still feel interested in my future welfare. I am at present writing you from Launceston, whither I have come to spend my vacation before reopening my school again. You are aware, my dear sir, that I am now managing a school. I have had many difficulties, trials, and bitter, self-denying hardships, to endure in establishing a school in the bush, but when the Lord is on our side, who can be against us ? When I, this time twelvemonth, took charge of the school, parents of children

would scarce send their children, when invited to do so for nothing. Living themselves in a state of immorality, without the knowledge of religion and education, they seemed to think their children required no such acquirement⁴, and often when I have opened the Bible (which you wrote in) to read a chapter, they have absolutely menaced me with the most awful curses. Now, however, things are changed: the Lord, in his infinite mercy, has blessed my humble labours, and I have more than pleasure in announcing that —, only twelve months since a desert of spiritual darkness and vicious immorality, is a changed place. The Sunday morning presents a most pleasing picture. You will see some thirty and upwards of children travelling, in their best 'bibs and tuckers,' through the sundry mazes of the bush to receive religious instruction at the Sunday school.

" My new school-house is now building, a plan of which I sent home. This little building I was the first to make an effort for, and, indeed, raised most of the subscriptions for it. The Sunday-school I also established myself some three months since, and have now three ladies and two of the churchwardens regularly attending as teachers. My school broke up (that is, the daily school) the day before Christmas-day; and I assure you my heart was so elated with joy at the satisfaction my little flock gave to Mr. K., the Rev. Dr. B., and several resident gentlemen whom I invited to the examination, that I could scarce contain myself; indeed, when the school had disbanded, and I was alone, I sat down and cried for joy, mixed with sorrow. I have now an income of about 180*l.* per year. The Government inspector visited my school, approved it, and recommended it to the Governor for pecuniary aid. Three days ago I received an order for my first quarter's salary on the Colonial Treasury, and after I post this letter I am going to the bank to receive it. It is my intention to give the whole of it towards finishing the building of the school-house. It is the first-fruits of my

labour, and I pray that it may prove an acceptable offering to the Lord. My labours are very heavy, and so fully is my time employed, that I have scarce time to write to my dear, dear sisters. You are aware what a loss we have sustained in the death of my poor *injured parent*. Oh, dear sir, *my sorrow since I heard of it has been more than I can describe*. The island, I think, is in a more thriving state. Port Phillip is still the mania ; but for a reasonable and industrious man, there is remuneration and satisfaction still to be obtained here. Your friend — is not a general favourite ; but the fact is the community is made up of such selfish, disatisfied, and fault-finding people, that I believe no system or no mortal could please them. I received an acknowledgment of my letter from the Duke of Richmond, which gave me the greatest pleasure. God prosper the labours of those benevolent and generous-hearted men. With prayers for your health and happiness, not forgetting Mr. Burt, believe me to remain

“ Your very grateful, &c.

“ P.S. I have written in haste, so pardon imperfections. When you can spare a few minutes do send me a line ; they are truly prized, and are like the reviving words of a dear parent to an exiled orphan and prodigal son.”

The following letter must speak for itself, for when I received it I had lost the recollection of the writer, except that he had professed religion here, and had been admitted, like those just mentioned, to the Communion :—

“ *Port Phillip, April 2, 1847.*

“ **REV. SIR,**

“ Had I remained in England I could not have ventured to address you, lest I should be suspected of having

other motives than the one I have in view, which is to convey to you the sincere thanks of a grateful heart for the interest you took—and in your prayers, I have no doubt, will continue to take—in our eternal welfare and happiness; and I feel confident it will not be among the least of consolations on your dying bed, that the Almighty graciously vouchsafed to incline your heart to sacrifice your social comforts, and, in some degree, your happiness, to mix among the poor prisoners, and to bring home the glad tidings of peace and deliverance to the unhappy, to sympathise with the wicked and unhappy, and to point us to a gracious Saviour, and assure us God is a very present help in trouble; to proclaim liberty to the captive, and to open the prison-doors of our minds, and point us to the redeeming blood of the Lord Jesus Christ; to wash us from all our sins and wickedness, and make us meet for the inheritance of the kingdom of heaven.

“ I feel confident your pious efforts have not been in vain; but that many a heart has been melted and moved under your discourses, that had neither the power nor the opportunity to express their feelings.

“ Continue, dear sir, to go forward in your work. Trust the Almighty, who can and will, in his own good time, bring forth a hundred-fold.

“ It may, probably, occur to your mind to ask how the writer came to take the liberty to address you. I will tell you, sir: I am aware that the very best men are apt to become discouraged at the seeming hopelessness of the cause in which they may have embarked their most anxious hopes. It is this consideration, coupled with the sincere desire that my fellow-prisoners should not lose the benefit of any future exertions you may employ in your work of mercy in their behalf, either in your prayers, or in books of instruction, that has induced me to do so. I feel confident you will pardon the manner for the sake of the matter.

“ It may not be uninteresting to you to hear a few words that more immediately concern the unhappy person that

addresses you, as we shall, most probably, never see each other any more in this world.

“ I had the very great privilege to be born of very pious parents, whose anxious endeavour it was to train me up in the paths of piety and virtue ; but, notwithstanding all their prayers and all their care, I have lived the greatest part of my life in open rebellion against my God ; and though scarcely a day has passed without my receiving some special mercy at the hands of my indulgent Maker, I have still added ingratitude to ingratitude, and sinned with a high hand all the time he was graciously trying to reclaim me, and even heaped his blessings on my ungrateful head ; but still all this was without effect, and at last I was given up to the despairs of my wicked heart, and finally to the commission of crime, which has brought punishment and infamy on myself, and misery and disgrace on all my friends. Yet, even in this dire place, at the thought of which, in happier days, my heart would recoil with horror, — even here I have been enabled to view the bitter anguish and folly of my mispent life. In conclusion, allow me, dear sir, to express a hope that the Almighty may be graciously pleased to prolong your life, and bless you with health and increase of success in the cause of humanity ; and late, very late, in life may he receive you to himself, finally to mix with that happy number unto whom it should be said, on the last day of account, ‘ Come, ye blessed children of my Father, receive the kingdom prepared from the foundation of the world.’ ”

“ I must not forget to mention that I am very comfortably settled here, and am respected now once more, thank God.

“ Dear sir, I have written several letters to my friends and have received no answer from them as yet ; if you would forward a line to them, stating that I am alive, I would feel greatly obliged.”

The following fact concerning a prisoner of the same number of communicants will not be useless

in shewing how far the blessings of the Gospel may be extended, by its reception in the heart of one even outcast member of a family.

"I hope," writes the clergyman of the parish, "you have had satisfactory evidence of the reality of the conversion of this prisoner; if so, I shall rejoice. Of one thing I am certain: his letters to his parents have, under the blessing of God, produced a very favourable change in his family, which was a terror to the village. Several of the younger branches of the family attend my day and Sunday schools, and behave with great propriety, both at school and at church. His parents are frequently to be seen in the house of prayer."

It pleased God to visit with Asiatic cholera the last ship which took out convicts from this prison, but in his great mercy he gave to these poor men in Dr. Browning as surgeon superintendent everything that could be desired to mitigate its horrors, to calm the minds of the fearful, to warn the sinner, and to comfort and direct the anxious inquirer after truth.

The following is a letter from Dr. Browning to me. Referring to a paper which he had forwarded to the authorities under whom he acted, he says:—

"You will find in it a brief allusion to H. E. from Pentonville, and W. M. from Wakefield, who while in the grasp—apparently the deadly grasp—of cholera, were able to rejoice in Christ Jesus as their refuge and their strength, in whom they were persuaded they had believed, to whom they had both dedicated themselves while in prison, to whom

death appeared to have lost all his terrors, and who were, in the midst of agonies endured during the terrific progress of the disease, filled with the joys of salvation, and cheered by the blessed hope of seeing Jesus as he is, and of soon being like him. Their spirit and carriage ever since they were brought out of the furnace has been in accordance with the blessed hope that maketh not ashamed.

“ Let me implore your remembrance of us in prayer, both you and Mr. Burt, and may the Lord tell you what to pray for, and grant as he directs.”

The next and last letter I shall refer the reader to, is from the same gentleman to a person in humble circumstances, the widow of one of our men, who had been taken off by the prevailing disease; and is given as much to shew the beautiful and humble spirit of the writer, as the power of Divine grace in the subject of it:—

“ *Hashemy, Jan. 2, 1849.*

“ DEAR MADAM,

“ I regret exceedingly that, from the pressure of my urgent professional avocations, it was not in my power earlier to reply to your question respecting your dear husband, whom it has pleased God to remove from us by an attack of cholera, by which he was assailed on the evening of the 9th ult., and of which he died early on the morning of the 10th.

“ The acuteness of your sufferings under your present bereavement cannot fail to be greatly mitigated, and, in a degree, met. I have received great and sound consolation from the consideration that your poor husband appeared to have been savingly instructed in the knowledge of Christ, while under the ministry of the Rev. Messrs. Kingsmill and Burt, chaplains of Pentonville Prison. The brief conver-

sations I had with him before he died were most gratifying to my own mind. He assured me that he had been enabled while in prison to receive Christ as all his salvation and all his desire, and that to Christ he had been able, through grace, to make a full and unreserved surrender of himself, body, soul, and spirit, assuring me he was not afraid to die, because he had fled to the blessed Saviour as his only refuge.

"That peace which the blood of Jesus procured for the redemption of lost sinners upon the accursed tree is the peace which your husband seemed to enjoy, and I doubt not he died in the Lord, and is now with him in glory. May you and I be faithful followers of the Lamb, and faithful unto death: cleaving to him in believing and holy obedience according to the Scriptures, until our Divine Lord call us to himself, and we shall have a place amongst those whom the Lord will present to the Father with exceeding joy.

"I am, dear madam,

"Your obedient servant,

"COLIN ARROT BROWNING,

"Surgeon Superintendent."

I have thought it due to the cause of religion to say thus much on so important a part of my subject; but whilst thanking God that he has not left his own Word and the ministry of his servants in this prison without witnesses, I am most glad to turn now to view the wondrous power of Christianity in the hands of others in ameliorating human misery, civilising savage men, and in bringing deliverance to the captive, and the opening of the prison to them that are bound.

V.

EFFECTS OF CHRISTIAN TREATMENT UPON
PRISONERS IN GENERAL.

“The worse a man is, the more need he has of Christian-like treatment, and there is no hope from any other; nor should we ever despair of success if we act in the spirit of our Divine Master and in dependence upon him. Ordinary motives to virtue may have great weight with persons before the loss of character and self-respect; but after this, they are comparatively powerless, and there is absolute need of the sublime and gracious doctrines of the Gospel to elevate the mind and impart hope. . . . Wherever Christianity has been brought to bear upon criminals, in its real power and blessedness, good has been accomplished under the most untoward circumstances; sinners have been brought to Christ and salvation; and the mass, if not converted unto God, have been marvellously civilised.”

THE following account strikingly illustrates those principles. It is from a little work published by Nisbet and Co.:*—

* Missions in Caffraria.

"In December 1798, Dr. Vanderkemp, accompanied by three brother missionaries, Messrs. Kitcherer, Edwards, and Edmonds, sailed for the Cape of Good Hope. The vessel in which they sailed was the Hillsborough, a Government transport ship, bound for New South Wales with convicts. Among these miserable creatures the missionary brethren determined to commence a course of instruction. They were told, indeed, that if they ventured into the hold among the convicts, they would certainly throw a blanket over them, and rob them of whatever they had in their pockets; but, notwithstanding this representation, the missionaries determined to make the attempt, and happily they were received with every mark of respect, and listened to with the greatest attention. By the kindness and affability of their manners, they in a few days so conciliated the regard of the prisoners, that they found themselves completely at their ease among them, ventured into the midst of them without the smallest dread, and conversed as freely with them as if they had been their most intimate friends and acquaintances. This was the more remarkable, considering the manner in which others were handled by them. One day before they sailed from Portsmouth, several naval officers came on board in search of some deserters, who, it was supposed, had concealed themselves among the convicts; but no sooner had one of the officers with his men attempted to pass the entrance of the orlop deck, than the prisoners seized him, beat him most unmercifully, and wounded him in the head with his own dagger. Two days after, a cutter, with some officers, and a detachment of marines, came to renew the search; but the convicts threatening to murder them if they entered the hold, they wisely desisted from the attempt. About the same time the prisoners engaged in a plot to murder the officers of the Hillsborough, seize the vessel, and carry her over to France; and though the conspiracy was providentially discovered and defeated, yet this did not hinder them, about ten days after, from entertaining the horrid design of sinking the vessel, and

escaping in the boats ; and with this view, many of them had even found means to cut off their chains and handcuffs.

“ Such was the description of men among whom the missionaries sought to labour at the hazard of their lives. About *two hundred and forty* of these miserable creatures were *chained in pairs, hand to hand or leg to leg*, in the orlop deck, to which no light could find admission except at the hatchways. At first, the darkness of the place, the rattling of the chains, and the dreadful imprecations of the prisoners, suggested ideas of the most horrid nature, and combined to form a lively picture of the infernal regions. Besides, in a short time, a putrid fever broke out among the convicts, and carried off no fewer than thirty-four of them during the voyage to the Cape of Good Hope. The state of the prison was now loathsome beyond description, yet, in this as well as in the hospital, surrounded with infection, disease, and death, did the missionaries daily labour to pluck these brands from everlasting burnings. Nor did they seem to labour in vain. In a short time, a number of these unhappy outcasts appeared to be impressed with anxious concern about their souls. Some of them even agreed to have a prayer-meeting among themselves three times a-week. Many who once could scarcely speak but to blaspheme had learned the songs of Zion, and their horrid imprecations were changed into the language of humble praise. There even seemed reason to hope that some of those who died departed in the faith of Christ, and were admitted into ‘the general assembly and church of the first-born,’ to unite with them in the sacred services of the temple of God on high.”

It should be observed that the worst-governed convict ship in the present day never presents such a picture as this, although it is often, in careless hands, one of the greatest drawbacks to the efforts previously made for the reformation of the prisoners.

The greatest improvement in the character of these vessels was made by Sir James Graham, upon the suggestion of the Bishop of London, by the appointment of a religious instructor or catechist for every ship, and up to this time the appointments seem to have been most highly creditable.

A great and increasing solicitude on the part of the Admiralty to appoint such naval surgeons to the command of convicts on the passage out, as are likely to take an interest in their reformation, is very manifest to persons in situations like my own. One of their orders to the surgeon superintendent is, "*to use every possible means to promote a religious and moral disposition in the convicts;*" and I have known an appointment cancelled by that authority when it was shewn that the gentleman had not performed this duty in a former ship.

The following extracts from a letter of I. S. Hampton, Esq. now Comptroller of Convicts in Australia, the able surgeon superintendent of one of the first ships sent out with convicts from this prison, will shew the advance of the age, and give the reader a view of a convict ship as it is in better than ordinary hands:—

"We left Woolwich on the 9th of November, but were detained in the Downs by contrary winds and bad weather until the 21st. We then sailed with a fair wind, and without calling at any intermediate port, anchored off Hobart Town on the 27th February, 1845.

"From the first day of embarkation, persevering and very successful efforts were made to establish order and method amongst the prisoners. To prevent the possibility of mistakes or disputes, the written regulations and daily routine entered in the commencement of my journal were not only hung up in a conspicuous part of the prison, but often read and explained to the convicts, and in a short time were so thoroughly understood and acted upon, that there was no confusion whatever on board, every man knowing exactly what he was required to do.

"During the first three weeks after embarkation, stormy wet weather, sea-sickness, and the short November days, prevented much being done in forming schools; but as soon as possible, the men were examined, placed in classes, and in a great number of instances made most pleasing and satisfactory progress, labouring with great diligence to benefit and improve themselves, in which they were most zealously assisted by the prisoner monitors in charge of the respective classes.

"Sunday-schools were also established specially for the religious instruction of the convicts, and were evidently more valuable in consequence of the attendance being altogether voluntary. One hundred and ninety-eight of the prisoners attended these schools with great diligence, and there is every reason to believe much profit.

"Divine service was performed morning and evening every Sunday after the embarkation of the convicts; the Church of England service and a sermon being read each time. The morning services were conducted by myself, the evening by the religious instructor. To improve the prisoners' minds, as well as to increase their self-respect and estimation of each other, a certain number of the most intelligent were selected, and encouraged to deliver lectures to their fellow-prisoners, in the evenings, on instructive and interesting subjects; and many of these lectures, as well as the attentive manner in which they were listened to, would have done credit to similar meetings of free men having much greater pretensions.

"Among the subjects selected by the lecturers, I may mention—The advantages of education; the use and abuse of music; comparative anatomy; English history; the origin of names; universal history; astronomy; poetry; ornithology; characteristics of the human race; circulation of the blood; the duties of domestic servants; architecture, &c.

"A weekly newspaper was also proposed, edited, and carried on by the prisoners in a very highly creditable manner. In fact, every possible means were used to excite and keep up a healthy, vigorous, manly tone of mind amongst the convicts, and with the most pleasing results."

There was no flogging nor irons used on board that ship, as well as I recollect.

But the most apt illustrations of our subject, at least in reference to convict ships, are to be found in that deeply interesting book, "The Convict Ship, or England's Exiles," by Dr. Browning, from which I beg leave here to note down a few extracts. The first of which is a letter addressed to that gentleman by a number of convicts on parting:—

"HONoured Sir,

"The thought of being separated from our friends casts a gloom over the mind; but to be parted from one who has taken such a deep interest in our present and eternal welfare is peculiarly painful.

"As an officer, a gentleman, and a Christian, from the first moment you came among us in the yards of our respective hulks, your manner to us has been that of a fond and an affectionate father to his long-lost and prodigal offspring. You addressed us, though a disgrace to our

friends and our country, and degraded in our own and the public estimation, as fellow-sinners, and as subjects of God's moral government. To ensure the instruction of our minds, you daily poured on our hearts a flood of comfort and consolation, from the encouragements of the Gospel to the chief of sinners. Your fervent prayers, we hope, have been heard and answered, and your instructions applied. You clearly shewed us from Scripture, and our own experience, the effects of disobedience and of a profligate life, and the connexion that subsists between sin and suffering.

"By your unwearied exertions, the word of God, which comparatively few could then read, is now no longer a sealed book to any one of us. Self-government, and an implicit compliance with the lawful injunctions of our superiors, have been inculcated and strongly recommended to our observance. Nor have our social and relative duties been overlooked or forgotten in the midst of your multifarious avocations; for whatsoever things are true, honest, pure, lovely, and of good report, have been set before us, and impressed upon our minds.

"Confessing our unworthiness before God, we desire, with heart-felt gratitude, to bless him for preserving us from the fury of the thunderbolt, the storm, and the tempest; from the rage of conflicting elements, and the power of disease: but in an especial manner we praise him for making known to us by his word and Spirit the way of everlasting life, through the mediation of his dear Son, our only hope and Redeemer; and as we know your aversion to everything like adulation, your conviction that all spiritual illumination and improvement are alone effected by the Eternal Spirit, are fully aware of the *dread* with which you regard the very thought of referring to any creature that which is to be wholly attributed to the Almighty power of the Holy Ghost, we would, while we thank God for your instrumentality, desire to unite with you in rendering to him all the glory of all the saving work which he hath been graciously pleased

to accomplish in any of our hearts, during our passage from England to these colonies.

“ We would congratulate you on your recovery from your late illness and imminent danger, and pray to God to perfect, in his goodness, your health, and to comfort your soul with the joys of his Holy Spirit.

“ We beg to express our warmest thanks for your patient, careful, and successful attention to the sick ; for your earnest efforts to instruct our minds, to enlarge our understandings, to extend our knowledge, to improve our morals, and to persuade us, at all times, particularly during our present unfortunate situation, to be most attentive to our respective duties. For these, and for every other act of kindness experienced at your hands, we feel sincerely grateful ; and deplore that any one of us should, at any time, have caused to your mind the slightest uneasiness, or should have done or said anything to meet your disapprobation or demand your censure.

“ Whilst we lament our misconduct and misfortunes, we confess the justness of our sentence, and beg leave to profess our attachment and loyalty to our sovereign and attachment to her government ; our resolution, by a willing submission to the laws of her representative in the colonies whither we are bound, to approve ourselves as reformed from our vices and follies ; and we earnestly implore that Divine grace may enable us to submit in a proper form to do all things as unto Christ Jesus.

“ We also beg to acknowledge the kindness of the Admiralty in providing for our wants and comforts on our way hither.

“ Honour'd sir, we cannot take our last leave of you without feeling a deep sense of sorrow that our crimes were the cause of our meeting, and must, also, be the cause of separation, and that to opposite sides of the world, in all human probability never to meet more on this side the grave. Oh, may we all, through rich and free grace, meet in heaven !

“ We beg to be affectionately remembered to the kind and Christian friends and benevolent societies who aided you in making so careful and liberal a provision for our spiritual wants. May you all partake largely of the blessings, the peace, and the joys of the Holy Ghost in Christ Jesus, to whose care we commit you, and wish you, with all our hearts, a safe and happy return to the bosom of your beloved family and to your friends.

“ And that the peace of God may rest and abide on you all, now and for evermore, is the unanimous and earnest prayer of us all; in whose name, and by whose permission, I am,

“ Honour'd sir, your most obliged,

“ Most dutiful, and obedient servant,

(Signed) “ J. R.”

Submitted on board the “ Earl Grey,” in the harbour of Hobart Town, Jan. 14, 1843.

The following is an account of the results of a like application of Christian treatment only upon criminals of a deeper dye, many of whom were doubly and trebly convicted felons:—

“ *Impression Bay, Tasman's Peninsula,*

“ *Van Diemen's Land, April 8.*

“ Arrived this morning. Debarkation has taken place. Voyage completed in one uniformly interesting style. Not one punishment on board. The behaviour of the prisoners surprised everybody,—and themselves more than any. I can scarcely say I received a complaint from the petty-officers during the passage. Just before they debarked, the prisoners unanimously voted an address to me, which is full of interesting statements, and is signed on behalf of all by the petty-officers and heads of messes. They speak of the triumph of Christian instruction and faithful kindness over mere brute force.

"The men were given to me in double irons; I debarked them without an iron clanking among them. I am told that this is the first and only instance of convicts removed from Norfolk Island having their irons struck off during the voyage, and being landed totally unfettered. They are almost uniformly cross-ironed, and often chained down to the deck, everybody afraid of them. I was among them at all hours, and the prison-doors were never once shut during the day.

"To God be all the glory! The Gospel of his well-beloved Son, and gracious answers to believing prayer, have been all the means. All is of Christ Jesus!"

Similar results followed a second deportation in 1847 by Dr. Browning, of convicts of like character:—

"We had no punishments; improper speech had almost entirely vanished; and the general behaviour of the men excited amazement and admiration: considering I had so few petty-officers, it was equal, if not superior, to that of our first body of Norfolk Island men. J. K. W., whom I made my clerk and right-hand man, I found to be a Christian, brought to the saving knowledge of Christ through the deep and bitter waters of affliction. One after another was added to the number of the declared and apparently real followers of Christ, until it reached twenty-four, of whom about half seem to have been turned to the Lord since they came on board.

"One man, who had harboured a spirit of revenge towards a fellow-prisoner ever since he was detected in a plot to ruin him on their passage from England, embarked in this vessel with the fullest intention of taking the life of his enemy; but since he came on board, light had gradually shone into his mind, giving him to see himself in his true character; and last Sabbath, while at church in the prison, he was brought to cast himself at the feet of Jesus, confess his sins, forgive

his enemy, and cherish towards him a spirit of peace and love.

"The power of Christianity on the minds and manners of the men, both in this trip and the former one, has exceeded anything of the kind I ever witnessed either at sea or on shore."

Such is Christian instruction and discipline in the hands of a Christian man whose motives and character are consistent enough to stand the watchful and experienced scrutiny of the bad. Such a man is looked up to almost as a being of superior kind, and the inferior pays such homage to the superior nature, that such a man's rebuke is more dreaded than the lash, and his entreaties are stronger than fetters of iron. But the power of Christianity in itself is so sublime and wonderful to those who have seen its influence over those upon whom violent coercion and harsh treatment have been often tried in vain, that I am free to say, if I were an unbeliever in its spiritual and eternal consequences altogether, but yet had regard for the happiness of my fellow-men and the good of society, I should feel it my duty to propagate and promote it in every way in my power, on account of the influence which it supplies for humanising and bringing into civilisation that which is rude, and violent, and savage amongst men; and upon this point I may now speak with some little confidence from the nature of my duties in this prison and from repeated visits to convict ships.

I have lately met with the following pleasing illustration of the same kind, in a most interesting book, published last year by Hamilton, Adams, and Co., "The Seed of the Righteous":—

"It would be wrong to pass unnoticed the blessings which attended Mr. Rogers's* labours (writes his biographer) as chaplain to the House of Correction at Wakefield, which he found in a deplorable state of moral disorganisation; its inmates under no moral or religious restraint, and kept under only by force. On the first Sunday morning, he beheld nearly three hundred prisoners, *forty or fifty of whom were in irons*; and such was their conduct, their restlessness, fierceness, and contempt, that, as he wished the governor good morning, Mr. Rogers said, 'You will never see me here again; I had never before such an idea of the infernal regions.' The governor assured him they had never behaved so well before. By faithful perseverance, however, and the adoption of a judicious line of conduct towards the prisoners, the chapel soon presented a congregation as orderly and well behaved as any other place of Christian worship.

"In his weekly visits to the wards he soon won upon their attention, and a desire to read was manifested; and, through the influence of some over others, the wards ceased to be the scenes of daily uproar and confusion.

"The sick-room engaged much of his attention, and there is good evidence that some left it healed in soul as well as in body, and that others went from the sick bed of a prison to join the church of the First-born in the bright and holy regions of heaven. So effectual were Mr. Rogers's labours, that *irons were no longer necessary to restrain the convicts*, nor severity exercised; and many testimonies, given by visitors

* Rev. Thos. Rogers, who about the beginning of this century entered on those labours.

and strangers, served to prove that no establishment of the kind in the kingdom could exhibit more of order, comfort, and everything proper, than this one did. Such was the result of Christian patience, forbearance, and decision ; and the exhibition of true religion, not in precept only, but, in what is far more persuasive, example."

The memoir of Elizabeth Fry is full of illustrations of the amazing power of the Gospel over the minds of the fallen, in the hands of a devoted Christian. The following extracts will not, I am sure, be considered here out of place. The first is a description of the female wards in Newgate, given by a gentleman who visited the gaol one fortnight after the adoption, by the Lord Mayor and Aldermen of the City, of the new rules proposed by Mrs. Fry's Committee for the better regulation, discipline, and instruction of female prisoners :—

"I went and requested permission to see Mrs. Fry, which was shortly obtained, and I was conducted by a turnkey to the entrance of the women's wards. On my approach, no loud or dissonant sounds or angry voices indicated that I was about to enter a place which, I was credibly assured, had long had for one of its titles that of 'Hell above ground.' The court-yard into which I was admitted, instead of being peopled with beings scarcely human, blasphemy, fighting, tearing each other's hair, or gaming with a filthy pack of cards for the very clothes they wore, which often did not suffice even for decency, presented a scene where stillness and propriety reigned. I was conducted by a decently-dressed person, the newly-appointed yards-woman, to the door of a ward, where, at the head of a long table, sat a lady

belonging to the Society of Friends. She was reading aloud to about sixteen women prisoners, who were engaged in needlework around it. Each wore a clean-looking blue apron and bib, with a ticket having a number on it suspended from her neck by a red tape. They all rose on my entrance, curtsied respectively, and then at a signal given resumed their seats and employments. Instead of a scowl, leer, or ill-suppressed laugh, I observed upon their countenances an air of self-respect and gravity, a sort of consciousness of their improved character, and the altered position in which they were placed. I afterwards visited the other wards, which were the counterparts of the first."

It need scarcely be added, that the book read to those poor people was the word of God.

The following account of one of this singularly eminent woman's visits to a convict-ship, taken from the same volume, is exquisitely touching:—

“The last time that Mrs. Fry was on board the Maria, whilst she lay at Deptford, was one of those solemn and interesting occasions that leave a lasting impression on the minds of those who witness them. There was great uncertainty whether the poor convicts would see their benefactress again. She stood at the door of the cabin, attended by her friends and the captain; the women on the quarter-deck facing them. The sailors, anxious to see what was going on, clambered into the rigging, on to the capstan, or mingled in the outskirts of the group. The silence was profound, when Mrs. Fry opened her Bible and in a clear, audible voice, read a portion from it. The crews of the other vessels in the tier, attracted by the novelty of the scene, leant over the ships on either side, and listened apparently with great attention; she closed the Bible, and after a short pause knelt down on the deck, and implored a blessing on this work of Christian

charity from that God, who, though one may sow and another water, can alone give the increase. Many of the women wept bitterly, all seemed touched; when she left the ship they followed her with their eyes and their blessings, until her boat having passed within another tier of vessels they could see her no more."

But it may be said, Elizabeth Fry was a person of no ordinary mind and education, and her natural and acquired advantages of this kind would have given her a powerful influence over the fallen of her own sex; and so they doubtless would have done, combined as these were in her with a kind and sympathising heart. But then, she never could have reached the *conscience* by such means, nor have *kindled hope* within their breasts were she not able as a believer, who had obtained mercy herself, to point them to Him who spurned not from his feet the woman that was a sinner, but pronounced a full and gracious pardon upon the penitent.

It is beyond question, moreover, that were it not for the love of Christ constraining her, the thought of such a work would never have entered her mind; or, if it had, her natural timidity, her exquisite sensitiveness, and her very purity of character, would have made her shrink from its accomplishment. For what woman but a Christian ever devoted herself to a work so arduous, self-denying, and repulsive as this, without fainting or wearying, to the end of life?

I must pass now from Elizabeth Fry devoting the prime of her life, the gifts of her mind, and the graces of her person, to her Divine Master's service, in seeking to reclaim the fallen of her own sex, to introduce to the reader a person in humble life, who herself having been first brought out of darkness into light, and from scepticism and obduracy of heart to be a meek and lowly follower of Jesus, felt a longing to impart to prisoners and the poor the blessing which she had received, and was enabled, in the providence of God, to do so in a very extraordinary manner, not only to the fallen of her own sex, but to criminals of both in the gaol of Yarmouth,—Sarah Martin.

Concerning this uncommon woman, and the value of her pious labours, we have the following unequivocal testimony of the Government Inspector of Prisons in that district, Captain Williams.

Speaking of the moral and religious instruction communicated in that prison, he says:—

“With regard to this branch of my inquiry, the particulars are of so singular a nature, that it may be better to transcribe the notes made at the time.

“*Sunday, November 29th, 1835.*—Attended Divine service in the morning at the prison. The male prisoners only were assembled; a female, resident in the town, officiated; her voice was exceedingly melodious, her delivery emphatic, and her enunciation exceedingly distinct. The service was the Liturgy of the Church of England; two psalms were sung by

the whole of the prisoners, and extremely well, much better than I have frequently heard in our best appointed churches. A written discourse, of her own composition, was read by her; it was of a purely moral tendency, involving no doctrinal points, and admirably suited to the hearers.

“ During the performance of the service the prisoners paid the profoundest attention and most marked respect, and, as far as it is possible to judge, appeared to take a devout interest. Evening service was read by her afterwards to the female prisoners. This most estimable person has, for the long period of seventeen years, almost exclusively given up her time to bettering the wretched condition of the prisoners who are confined in the gaol. She is generally there four or five times every week, and since her first commencing these charitable labours she has never omitted being present a single Sabbath-day. On the week-days she pursues, with equal zeal, a regular course of instruction with the male and female prisoners. Many of the prisoners have been taught to read and write, of which very satisfactory examples were produced; and the men are instructed and employed in binding books, and cutting out of bone, stilettoes, salt-spoons, wafer-stamps, and similar articles, which are disposed of for their benefit. The females are supplied with work according to their several abilities, and their earnings are paid to them on their discharge; in several instances they have earned sufficient to put themselves in decent apparel, and be fit for service. After their discharge they are, by the same means, frequently provided with work, until enabled to procure it for themselves. Only *a single instance* is recorded of any insult being offered her, which was by a prisoner of notoriously bad character; upon this she gave up her attendance upon the ward to which he belonged: after his discharge, the other prisoners came forward and entreated most earnestly that she would be pleased to resume her visits.

“ There are several cases where her attentions have been successful, and have apparently reclaimed the parties, if the

continued good conduct of the discharged be admitted as satisfactory proof. That of four smugglers is singular, from the fact that upon their discharge after a long imprisonment they addressed the felons, and entreated them to listen to her advice and treat her with respect."

Six years subsequently to this period, the same gentleman in his official report makes the following remarks :—

"There being no chaplain regularly appointed by the town-council to perform the duties and take the responsibility of the office as required by law, I am of opinion that no time should be lost in making the appointment; the more so, as that extraneous assistance which has for so many years been so kindly and effectually rendered by the exemplary Miss Martin is now withdrawn for ever.

"This admirable person, of humble condition, but exalted mind, for a period of twenty-three years, and until broken down in health for a short time before her death, devoted all her energies to the moral and religious instruction and re-clamation of the otherwise utterly neglected prisoners in this gaol. Her influence over those who came within the pale of her attention was great, although her means were small, and her manner simple and unpretending in the extreme. She was no titular Sister of Charity, but was silently felt and acknowledged to be one by the many outcast and destitute persons who received encouragement from her lips and relief from her hands, and by the few who were witnesses of her good works."

As the description of the sermon, which Captain Williams heard, may lead to a wrong impression upon the reader, and perhaps a different one from what was in the mind of that gentleman, who, when

he said the discourse "involved no doctrinal points," meant probably no discussion nor abstruse disquisition on doctrinal points, I feel it due to her memory to give here a short extract from one of her sermons:—

"The Lord will have mercy: he will abundantly pardon. Mark the riches of the blessing. Mercy in Christ,—pardon for his sake. This is just what we need; oh, for a heart to embrace it! Mercy is an attribute of God, not opposed to his holiness, nor at war with justice; but it meets the eye of man in the incarnate Jehovah, the Saviour: for he displayed the divine holiness in enduring the curse that sin deserved for our salvation. He magnified justice by rendering perfect obedience to the divine law, and making an atonement for sin; and now the mercy which shines in his blessed work is set before us to engage our love, our gratitude, and our obedience. And can you resist it? are you not subdued by the loving-kindness of Jesus,—of your God? Reflect on what is herein proposed to you. To make your guilt-stained soul as pure as unfallen angel: to make you whiter than snow by the precious blood of Christ: to create a new heart, and renew a right spirit, within you: to remove the filthy rags of self-righteousness from your soul, and clothe you with the righteousness of Christ."

In this sermon may be seen the constraining motive of Sarah Martin's life, and the secret of her strength.

VI.

SYSTEMS OF CONVICT DISCIPLINE COMPARED.

IT may be questioned whether transportation has ever yet received a fair trial. In its earliest history it had its best, in some respects, when the convict, acting as pioneer to the free colonist, was employed in constructing roads, bridges, harbours, and other works of public utility abroad. But it was plainly impossible to go on long on that plan, from the immense annual increase of the convict population ; and the necessity arising for providing labour at a cheap rate, in order to induce persons to purchase land and settle in the country, the idea suggested itself to Government of letting out the convicts to the colonists according to the number of purchased acres, and this became the foundation of what was subsequently known as the Assignment System.

The principle of the *assignment system* was, that Government had a *property* in the labour of the convict, and could therefore transfer it to others. By means of this arrangement the colonist obtained

labour, such as it was, at little more than the cost of maintenance, which in that country was a mere trifle, and Government was relieved by the *dispersion* of the greater part of the prisoners from a very responsible and *expensive* charge, only retaining on its hands men enough to carry on colonial works, with a *few* outrageously bad characters, who, apart from the former, were worked in road-parties in what was called the *iron-gang*, under a military guard. The lot of those kept to work for Government was considered very much harder than that of those assigned to private service in general. The assignment of service was four, eight, or twelve years, *i.e.* about half the length of sentence, the latter period being the time fixed upon for *life* sentences. After this service, convicts became entitled to *tickets of leave*, which gave then, as at present, to the holders, liberty to follow any business, make their own bargains, and have all their earnings, &c.; but left them under the summary jurisdiction of the Police Courts, which could deprive them at any time of the indulgence for misconduct. The assignment system seems to have conduced to the prosperity of the colony in the first instance, and in the absence of free labour. It had also some considerable recommendation in a moral point of view by the *dispersion* of the male convicts, and their being domiciled with persons of respectable character in general, who had

also an interest in the improved conduct of their servants.

Some most interesting instances of the kind are given in "The Prisoners of Australia," the following extracts from which will also add more proofs of the wonderful power of consistent Christian teaching and character over criminals for good:—

"Providentially this man," says the writer, "had been assigned to the service of the Agricultural Company, and under the Christian teaching of Sir Edward Parry both he and his wife had, humanly speaking, been led to see the folly of worldly wickedness, and the deep importance of those better things which now formed their highest privilege and consolation. Her husband, she said, had long since become a reformed character, and was now all that she could wish as a Christian husband and father. This account was afterwards affirmed to me by others, who spoke of him as an honest, industrious, and most deserving man; and I also found that he gave many sweet evidences of his sincerity as a professing Christian. He never entered upon his daily labours, nor lay down to rest at night, without reading a portion from the Bible, and gathering his little family around him for prayer and thanksgiving. He devoted all his leisure hours to the instruction of his children in reading, writing, and arithmetic; and many there are who might add their testimony to mine, that these children, who never failed in their attendance on the church services, behaved with a quietness and reverential attention during the time of such services, that might prove them examples to many of our own more civilised families at home, who are educated with far higher advantages. These blessings were among the many fruits of the *missionary* exertions of Sir Edward Parry and his now sainted lady, who both lived in the grateful affections of many a chastened

heart long after they had ceased to take a personal share in the interests of that far-distant colony. And if this be a case rather of exception than of general result, it is by no means a singular instance of excellent conduct, good order, and, at least, of moral reformation among the convict families of Port Stephen and other settlements connected with it, under the admirable government both of Sir Edward Parry and his talented successor. I would also instance the establishments of St. Helier's and St. Aubyn's, the joining possessions of that successor and his excellent brother, situated on the border of the Hunter's River, about one hundred and eighty miles north-west of Sydney. The former has been already noticed by Dr. Lang, in his publication on Australia, as the best-organised farm in the colony. And why? Because the blessing of God was made the paramount interest, and Christian instruction the basis of its moral discipline; while every encouragement has been given to the efforts of industry and good conduct, and vice been visited with firm and judicious coercion. Far removed from the superintending care of any clergy, the beloved proprietor of this extensive property had not neglected to provide for the spiritual welfare of his exiled dependants. Divine service and a sermon was regularly read to them, together with rest, and every means of instruction afforded them on the Sabbath-day which circumstances permitted. Rewards were also occasionally distributed to the industrious and well conducted, both among the men and women. Regular hours were preserved, and good order maintained as far as possible, where the master was himself necessarily removed from the personal charge of his estate; but never, I believe, were the returning visits of an absent master hailed with more grateful and cordial welcome than those of him who was beloved, respected, and honoured by all, even by those who also feared him. The establishment of St. Aubyn's was favoured with yet higher advantages; for although neither so extensive nor so advanced in its exterior operations, it had the privilege of

a master's immediate superintendence, who was himself peculiarly fitted for the duties of an arduous and most difficult stewardship. Here, too, the whole structure was raised upon the solid groundwork of religious principles. Yes, and under such circumstances of discouragement as few can imagine who know nothing of Australia,—who have never experienced the persevering opposition which, perhaps, in every country, more or less, follows upon the tread of a Christian's influence ; but above all, where such influence is isolated, unsupported, ridiculed, and often slandered ! Nevertheless, amidst all this the respected proprietor of St. Aubyn's steadily pursued a course of government which has been singularly blessed to many, and by united firmness in discipline, and uniform kindness and consideration towards his convict labourers, few masters in the colony have been so influential as himself in promoting the reformation and well-being of his dependants. Morning and evening his family assembled for religious worship, at which all his household domestics were required to attend. Every Sunday morning he met the convicts of his farm establishment in a large barn, arranged for divine service as well as the nature of the building would admit, his own family being also present ; while the Roman Catholics, whose attendance was not compelled, were, nevertheless, required to appear neatly dressed and ranged with the others, as prepared for prayers, that none might absent himself from the camp on that hallowed day, unnoticed by the master's eye : but such as declined uniting in the Protestant prayers were expected to return quietly to their respective huts during the hours of divine service, that they might at least have time and opportunity for private devotion, if they chose to avail themselves of it according to the dictates of their conscience. The remainder of the day was equally marked as a Sabbath-day, no work being permitted but that of actual necessity ; even the family dinner was dressed on the preceding day, that the example of the master might prove to the servants how sacredly important he considered

those duties to be which were enforced upon themselves; and to all this was added affectionate exhortation and counsel whenever circumstances called forth interference, reproof, or advice. Another admirable feature of judicious management was the permission granted to the prisoners of St. Aubyn's, of working after their appointed hours of service for pecuniary remuneration, according to the rate of free labour. Such devoted and disinterested care could not fail of producing vital benefits; nor do I hesitate to assert that many who came to their destined captivity ignorant, depraved, and profane, have become faithful servants both of God and man; manifesting their genuine repentance, and sincere desire to depart from all iniquity, by a change of heart and life, which soon springs up in fruits of grace and reformation. Some such have expressed to me with much feeling, that to the pious influence of their invaluable master and mistress, under God's blessing, they trace that change and happier state of mind, and have deplored that their earlier career had not been blessed with such guidance and guardianship."

Where, however, the master was of a different kind, and especially if the number assigned to him was considerable, the assignment system cannot be spoken of as favourable to morals; and as regards female convicts it was decidedly immoral. This system was considered to have two radical defects; first, the inadequacy of the punishment, the convict being in general better off six months after his sentence than he was before; and secondly, the great *inequality* which marked its application, the most deserving convicts being generally doomed to work for Government, which had always the first choice:

and as regards the assigned, their condition depending, like that of the slave, altogether upon the disposition of his master, it was as different as can well be conceived. It is now too late to inquire whether these defects were inherent in the system, or such as might have been remedied. The two great parties in the State have decided against it, and substituted other plans of convict discipline. It is proposed to speak of both these in order.

The general principles of the probation system of Lord Stanley* and Sir James Graham were:—

“That every convict transported should actually undergo that punishment for some pre-determined period, bearing in each case a proportion to the length of the sentence; be subjected to successive stages of punishment, decreasing in rigour at each successive step. That in the case of certain classes of convicts sentenced to transportation for not more than seven years, the first stage of punishment should be undergone in a penitentiary in this country, and that the convicts should, at the expiration of a given time, be sent to the colony. And, lastly, that a systematic course of moral and religious instruction of the convicts should be pursued.”

The successive stages referred to were as follow:—

“1. Detention at Norfolk Island, the invariable consequence of all sentences of transportation for life, and the

* Despatch to the Lieutenant-Governor of Van Diemen's Land, 1842.

more aggravated cases of convicts sentenced to any term not less than fifteen years.

“2. The probation gangs in Van Diemen’s Land, composed of convicts who had passed through the period of detention at Norfolk Island, and men sentenced to transportation for a less term than life.

“3. Under the third stage of punishment the convict became the holder of a probation pass. The holder of a probation pass might, with the consent of the Government, engage in any private service for wages.

“4. The fourth stage was that of the holders of tickets of leave, which gave the same privileges as under the assignment system.

“5. The fifth and last, that of a pardon conditional or absolute.”

The assignment of female convicts was at the same time abandoned, and obviously for much weightier reasons. The despatch of the same date of Lord Stanley on this subject does honour to the head and heart of the writer. His Lordship “presumes that the Government abroad did their utmost to throw the shield of their protection around the women, but feels satisfied that, when assigned to the less moral part of the community, they were exposed to criminal solicitation, grievous oppression, and often to personal violence;” and gives it as his opinion, “that there might be many amongst even such persons on whom instruction, careful superintendence, and, above all, the stimulus of hope, might work beneficial effects.”

The remedy proposed on this point was the construction of a penitentiary near Hobart Town, to which every female convict should be sent, for a period of not less than six months, for moral and industrious training, from which, in conjunction with the great improvements which had taken place in the management and discipline of female convictships, much good, it was hoped, might be accomplished.

Of the happy influence of the stimulus of hope upon the most deeply fallen and debased, Lord Stanley mentions, as an instance, on the authority of the Colonial Secretary, that "tickets of leave were very rarely forfeited by females who had been fortunate enough to obtain them." The penitentiary was never built; but, as if to shew the hopelessness attached to working a system which has the primary power on one side of the globe and the machinery on the other, despatches and plans of the building have been going and returning from the date of the one referred to, 1842, down to 1847.*

In the meanwhile a hulk, called the "Anson," has been used; but the indifferent arrangements of such a prison, and, as it is thought, the very little encouragement given to the experiment abroad, have done much to neutralise the good which might

* See Correspondence on Transportation, 1847.

have been expected from the able and zealous superintendence under which it was placed by Lord Stanley.

It should here be observed, that whatever may be objected against the probation system in general, on the score of morals, does not apply to it at all as regards the female convicts, who were by it rescued from the most polluted slavery to which assignment had subjected them, and were placed in a condition which allowed and invited a return to virtue and happiness.

The following letter of a convict, who went out by the "Earl Grey" 1842, describing "probation," gives such a graphic account of the working of that system, and is so deeply interesting in itself, that, although intending only to give a few extracts, I cannot refrain from presenting to the reader the greater part:—

"A new scene in life has just begun with me. For two years and upwards I have been serving under 'probation,' and a *trying time* I found it; but, thank the Lord, I can now breathe a purer air, and can lift up my head (*as far as a convict can*) once more in society, having just escaped from the dreadful society of the probation-gang I need not attempt to describe the anxious solicitude I have felt about you and my child: my heart has often ached when I have thought of you. Most of my letters (which I doubt whether you ever received) were written 'in the bush,' with a flat stone for my table, and a sheet of bark from the peppermint-tree for my seat—a spot rendered dear to me, as the place

of retreat where I often found the Lord's saving and consoling presence. * * * *

" My object in now giving you a history of my past sufferings is to give you a true description of the poor prisoner when banished in consequence of crime, and to awaken your tenderest sympathies and most earnest prayers for your suffering brethren and sisters here; 'tis not to utter a *complaining* word, for I feel I deserve tenfold more punishment — or, rather, chastisement — than any which I have as yet received. Thanks to the Lord, I am not in hopeless misery in hell!

" On Jan. 14, 1843, we arrived here, and in a few days were separated, and most of us sent into the interior to our appointed stations. Previous to our dispersion, we had an opportunity of assembling for reading the Scriptures and prayer, as we had been wont to do on board the ship. We all lodged in one poor sorry outhouse, near the barracks, the first night we spent on shore in Van Diemen's Land. My dear companions were all asked if they would unite once more together, most likely for the last time, a proposal to which they all agreed without one dissentient voice; and earnest were the prayers, and deep the feeling, on behalf of our kind friend and patron we were about to part with; and fervently, too, we sought Divine wisdom and grace to guide and bless us in all our future steps.

" The time soon came for us to be marched off. Myself and five more shipmates, with twenty old hands, were yoked to carts loaded with picks, and other heavy goods. An overseer took command, and at the well-known sound, ' Go on! ' off we started, not knowing where: all we knew was, that we were going to form a new station, fifty miles up the country. We had not proceeded many miles before I began to feel exhausted; for just stepping on shore after a long voyage, you may suppose I was unfit for hard travelling; added to this my health was but delicate. But journey on we *must*: up rugged hills, beneath a scorching sun, and amid the

hellish oaths and imprecations of our new companions. My ears were unaccustomed to such wicked words as proceeded from their lips. One particular oath, the first time I heard it uttered, made me shudder, and that was from a poor grey-headed man, when oppressed with dragging those heavy carts. It is too awful and too grossly blasphemous to admit of being written ; its purport was a wish that he might die that moment if he moved another step : but the Lord had mercy on him, and did not grant his request, for he still moved on. I earnestly asked the Lord to stay the poor thing in his progress to perdition. Surely, I thought, I shall never hear such language again ; but in this I was greatly mistaken, for it is common, awfully common, to hear prisoners, and *officers* too, swear the same oath. The Lord have mercy on this devoted colony !

" We arrived at —, and were put within the prison, and a sad night I spent, as to outward circumstances. We were nearly covered with — and other filth, so that we could not lie down. My friend and shipmate who was with me on board the hulk, desirous of doing good, proposed to read a chapter from God's word, but, oh ! I shall never forget the dreadful cry they set up ! ' You old hypocrite ! *there's no God in Van Diemen's Land, nor shall there be !*' were the blasphemous words vociferated. Poor things ! *they had no kind and pious surgeon-superintendent to bring them out*, to instruct and reform their minds, as we had. How thankful should we be, and how great our responsibility ! Not till then did I feel banishment such a *heavy* chastisement. To be obliged to hear and see what has passed before me the past two years, is a severe and heart-rending affliction.

" Morning came, and we pursued our journey. We had to traverse the bush, with scarcely a track to guide us ; here and there we saw a tent, or met a settler. The country became more rugged, but we were compelled to drag and labour on — a very hot day — until we were nearly exhausted. Night came on, and truly thankful I was to lie down upon

the ground to obtain a little repose. We encamped in the bush, with no other shelter but God's own beautiful sky, bespangled with stars. Here we found water, a great blessing to us, for we were parched with thirst, from the want of water during the day. Next day on we went. The Lord was very merciful to me, for I began to feel myself more fit for the remainder of the journey, and early in the evening we arrived at the spot to which we were ordered. I have been particular in describing this journey, for the circumstances connected with it made a powerful impression on my mind. Never did I see beings sunk so low. Here I beheld the fearful effects of the fall. It led me to look at my own character and condition as set forth in the Bible. The blasphemous expressions respecting the Holy Comforter produced horror in my mind for the moment; but I hope they also led me more earnestly to implore his gracious presence and power in my soul.

"At —— we commenced our work. . . . Then began the course of government and discipline to which I have been subjected. Gangs marched to the station as it enlarged, from —— and ——, and other second sentence stations. These men are supposed to have been reformed, but, alas! their conduct soon evinced that the treatment they had received was calculated to harden rather than to soften their moral feeling. They soon broke out. Officers commenced their work, bringing many of them to trial for various offences. The 'triangle' was erected, the horrid 'cat' I saw, with grief and pain, flourished about the station by a fellow-prisoner appointed *flagellator*. It was soon laid upon the backs of the unhappy convicts. Then my sorrows began; I was disappointed that a milder system was not in operation. From what I conceived *probation* to be, I expected men would have been *instructed and drawn*, not *driven; encouraged*, not at once *coerced*.

"I should have told you that for three or four months we

were tolerably comfortable, owing to the influence of a pious visiting magistrate, who was over us during that brief period, and paid great attention to our spiritual interests, and instructed us, and led our worship on most Sabbaths; but his stay was short. *There was no flogging during his time*; but he would come and talk with us, as a tender father to his children, and encourage us in every possible way in the pursuit of useful knowledge. *After he left us the scene changed*. Thirty boys, incorrigible, as their conduct afterwards proved, were sent to us, and instead of being kept separate from the men, and put to suitable work, they, to my great surprise, were allowed to mix with the men, many of whom were depraved in the extreme. * * * *

"I should rejoice to see Dr. Browning's plan adopted; it would be an invaluable boon to us men and women in bonds, and an extensive blessing in this community Thanks be to God, there are some pious men amongst the thousands of 'England's exiles'; but we are lumped together, and held to be a set of rascals and vagabonds, and are sometimes called so by those who ought to instruct and encourage us when any good signs appear All this does no good. I never saw a man or a boy softened and improved by flogging or other harsh measures. A very wise man once said, you know (and he spoke by the Spirit), 'Though thou shouldst bray a fool in a mortar amongst wheat with a pestle, yet will not his foolishness depart from him:' and so it is with *flogging*, it only renders the feelings more callous, and the effects on the minds of others are anything but salutary. I hope something will be done speedily for the bondmen and women in this part of the world: I am sure the present system is most ruinous, both to soul and body. Habits of idleness are contracted, they assemble in groups, telling each other of the robberies and murders they have committed; and at night, in the tents, the scene is truly awful. Let me ask you to pray for us, that God would,

by suitable means, send out his light and his truth amongst convicts, that they may be saved in the Lord, with a present and an everlasting salvation.

"You see what I have gone through *mentally*; for what are outward inconveniences when compared with the *distress of mind* endured in such a state of things? Transportation is a *terrible evil*, to be dreaded above all temporal evil. Under such circumstances the strongest mind becomes dejected and the spirit broken. Oh, that men and women would take warning, and shun the commission of crime, which entails upon the offender such indescribable misery."

Such was the probation system in its actual operation.

I now proceed to describe the system of convict discipline instituted by the government of Earl Grey and Sir G. Grey.

In the general principles of this and the preceding plan, there is no difference. A succession of probationary stages, bearing proportion to the duration of the original sentences, and gradually advancing the well-conducted to conditional pardon and absolute freedom, is the leading feature of both. But in the mode of carrying out these views there are some points of difference; the most important of which are—1st, That instead of congregating the convicts in masses in the first stage, and without any other distinction of character than that which the law defines, individual isolation or separate confinement is made use of; and 2dly, Both this stage and the second, instead of being passed in Australia, are to take

place at home, under the immediate inspection of Government.

Having already described separate confinement at some length, it seems only necessary here to say, that the duration of the first stage of separate confinement will be from six to eighteen months, according to length of sentence and other circumstances, and that to carry out this stage of discipline on the plan of Government there are probably now in the country sufficiently ample facilities, a prison for convicts having been lately opened in Wakefield having 400 separate cells, in addition to Pentonville, which has 500, and to more than this number in Millbank, Besides which there are between thirty and forty prisons now in England built after the model in Pentonville, in whole or in part, of the spare accommodation in which Government can avail itself, and is doing so, defraying the expenses of the prisoners' maintenance, &c. It is to the constructive genius of Colonel Jebb of the Royal Engineers (I may here observe) the country is indebted for the *model* character of the building and arrangements of the national prison of Pentonville, now so extensively imitated on the Continent and at home, as it is to his valuable Reports to Government as Surveyor-general of Prisons, for the fairest and most complete account in all its bearings of the working of the separate system extant.

Upon an intimate acquaintance with this subject in all its bearings, I think the Government must be considered to have used a sound discretion in not adopting separate confinement exclusively as a system of convict discipline, as some would have had them to do, or in not rejecting it altogether, as others advised, but in making such modified use of it, and in conjunction with other means of correction, as may secure all its advantages without incurring its dangers.

The second stage of discipline is penal labour upon public works.

It appears a very unreasonable fear which many entertain, that men really reformed in separation will turn villains again in association. I believe no such thing. On the contrary, I think that if the same means be used to keep them from falling away which were first honoured of God in reclaiming them, the faithful and affectionate ministration of his holy word, fair and considerate treatment on the part of discipline officers, and an ordinary application of the stimulus of hope, the good character of the convict will be improved. It would neither be just nor wise, however, to test the religious profession or moral improvement of men, under such circumstances, by the highest standard, and to condemn a man for a word, an ebullition of temper, or the infringement of a rule, at once as a hypocrite. This,

however, is constantly done, and most chiefly by persons who are themselves irreligious altogether. Such, at all events, is not the teaching of our divine religion. "Brethren," said St. Paul, "if a man be overtaken in a fault, ye which are spiritual *restore such an one in the spirit of meekness*, considering thyself, lest thou also be tempted."

There are prison offences, however, which shew plainly enough that the individual is the same that he was, and his reported reformation nothing better than gross self-deception, if not hypocrisy. What then? Surely it is very much better that this discovery should be made in time, and the delusive expectation dispelled, than to let him free upon the world again before his time, a really bad man; better, for the convict himself—better unquestionably for society. A reformation which will not stand the test of association, where it has more safeguards and fewer temptations than in the world at large, is manifestly not of the least value whatever.

But the associated labour of convicts has been, it may be said, already tried, and with the most disastrous results. This is undoubtedly true, but there have been causes enough for that failure besides the association itself, which not existing in the present instance, there is reason to hope that the system of penal labour now arranged will not be alike unsuccessful.

The chief causes of failure of Lord Stanley's probation-gang system appear to me, on perusal of the evidence before the Lords' Committee and an admirable report on the subject by Mr. Latrobe, Acting-Governor of Van Diemen's Land (May 31, 1847), to have been:—Inadequate and unsuitable accommodation for the convicts at night, the employment of them in masses in the primary stage in Norfolk Island or in the unsettled parts of Van Diemen's Land, an inefficient and in some respects improper agency employed over them, and the extreme distance of the place of probation from the supreme Government. To these may be added the absence of everything like a moral training and preparation for transportation.

The convict passed in general from the debaucheries of a profligate life into the common gaol, from thence to the convict-ship, and finally into the probation-gang, growing worse and worse in every stage.

The accommodation and nightly lodging for the prisoners, the employment of the gangs in the bush, and the very character of the overseers of these gangs, upon whom so much of the healthful working of the system obviously depended, were such as sufficiently to account for the disastrous failure of that measure.

“ It was vain to expect,” says Mr. Latrobe, “ that any large number of free men, possessing general

efficiency for the discharge of various subordinate functions, and with character above suspicion, either of an abuse and neglect of duty, or of tampering with the prisoners for the furtherance of private views, could be at once secured. The state of society and the colony forbade it, equally with the low scale of remuneration and the character of the duty; and 'make-shifts' had to be here again resorted to. As the services of people of character could not be engaged, those of persons of no pretensions whatever had frequently to be put up with. Prisoners were, of necessity, largely employed in various capacities, and the discharge of duties committed to them, which, however humble in name and in appearance, were, when the particular character of the services was justly appreciated, of the greatest importance."

A system officered by prisoners and men willing to take rank with them could not be worked effectively. But Mr. Latrobe, although evidently most willing to do justice to men who formed the honourable exception, draws such a picture of the superior officers in general as shews that really efficient supervision of that kind even did not exist. The far greater part of the officers of the grades in question only looked upon their appointments as stepping-stones to something better, and brought little tact, discretion, or energy, to the work. This

Mr. Latrobe attributes to the rate of remuneration, which was such as to deter any at home or abroad, but those whose fortunes admitted of little choice, to undertake the most repulsive duties. The religious and moral instructors were no exception.

"I regret to state my impression," says Mr. Latrobe, "that, after all the stress laid upon the necessity of providing adequately for the religious and moral instruction of the convicts under the new system, in no particular has the difficulty of attaining the object been more glaringly apparent, both in number and in general character and qualifications; the class of men whose services were at command were not of the stamp that must be employed, if a reasonable hope of success were to be indulged."

"It further appeared to me," says Mr. Latrobe, "that the probation system, whether sound in principle or not, had not a fair trial, and could never have a fair trial in this distant colony."

It does not require local knowledge to be assured of this. In a complicated system, such as that was, supposing it carried out ever so discreetly and zealously, difficulties, never provided for, would continually be starting up, little in themselves, perhaps, if promptly met, but fraught with the most disastrous consequences to discipline and to morals if neglected or postponed for any considerable length

of time, which yet was generally inevitable. Norfolk Island was nearly 1000 miles from the seat of colonial government; the communication from the bush to Hobart Town even was, practically speaking, considerable; and when the reports reached head-quarters in the colony, the individual invested with a deputed and defined authority would naturally often shrink from undertaking new responsibilities, especially in a place where almost everything, unhappily, assumed a party complexion, and was sure to be misrepresented at home by some one. The matter, therefore, would be sent home for the decision of the supreme Government; and if this had not in the meantime changed hands, or if no more important business was being pressed on the executive, the ultimatum would come back in the course of twelve or eighteen months; a doubtful remedy, perhaps, at any period, but when it arrived, wholly unsuitable or calculated to aggravate the disease. Nor was there any check upon the growth of the irregularities and demoralisation which marked the growth of the probation system, *such as the presence of an enlightened, impartial, and Christian public interposes.* Here and there only, at the penal stations, occurred any exception; and Norfolk Island was open only to the officials of Government. Yet, of all things, the treatment of those who have lost their liberty should be most accessible to such ob-

servation and influence. Man is naturally a tyrant over his species, and the lower in feeling and character the officer is, the greater. The exercise of petty power by persons of this kind brutalises further their own minds, irritates the feelings of the prisoner, and renders almost every effort abortive to communicate favourable impressions to the heart of the oppressed. The hands, also, of those who desire and labour to bring salvation to the fallen, require to be strengthened and countenanced, that they may not faint under their oppressive labour. If any doubt the value of such inspection, let them read the accounts of prisons as they were, given in the life of Howard, when, moved by the generous and self-devoted spirit of a pure religion, he visited the prisons of Europe, and exposed to public view their horrible condition; or consider what Newgate and every convict-ship was, before individuals, moved by the same spirit, and animated by the example of that great man, undertook to carry the offers of mercy, in the accents of Christian sympathy, to their unhappy inmates. Now, the probation scheme of Earl Grey secures all those helps, of which Lord Stanley's was so fatally destitute. The best officers, from the highest to the lowest, can be selected, or, if found unfit, immediately removed. The eye of Government can survey the whole, and apply to discovered evils a

prompt and efficient remedy; and persons high in station and the estimation of their country will have opportunities to observe the working of the plan, and to make public the result of their observation. Absolute separation, moreover, during the night, is secured for every man worked in association during the day.

To carry out this part of the Government plan, an establishment has been formed in the Isle of Portland, off Weymouth, just now opened. Here will be placed, it will be understood, from 1000 to 1500 convicts, who have passed through separate confinement, to be employed in the construction of a harbour of refuge on that part of the coast; a work confessedly of great public utility, but which it is obvious could not be undertaken in the present circumstances of the country, if free labour were to be engaged. This will be the ground, however, of objection in the minds of some, although, taking the narrowest view of the subject, it seems less unjust to the honest labouring class, that those who have offended against the laws of their country should be compelled so to work, than to be supported in idleness. The same provision for separate confinement by night, it is hoped, will ere long be provided on shore for the convicts employed in the Government dockyards, instead of the floating prisons called the hulks, which are,

like all common gaols, pestilential to morals in a high degree.

Third stage.—The convict having passed creditably through the primary stages of probation, now obtains a ticket of leave, and is transported for the remainder of his sentence.

Little need be said on this point. The condition of the holder of a ticket of leave has been already described. It is the same under the new probation system as under the older systems, with one exception referred to, as follows in the despatch of Earl Grey to Sir William Denison:—"It is proposed that it should be one of the conditions on which alone convicts should be removed thus early from the two first and more severe stages of punishment, in order to be placed in the comparatively advantageous position of holders of tickets of leave in Van Diemen's Land, that they should agree to repay from the earnings of their labour in the colony the cost of their conveyance to it . . . The regular payments of the instalments for this purpose would be regarded as strong evidence of the industry and good conduct which ought to be the ground of the recommendation for a conditional pardon."

It may be observed, that this sum will be about fifteen pounds sterling. This payment is in the place of the third stage under the former system,

viz. that of the pass-holder; and the arrangement may work very well, and economically, if properly explained to the convict, and judiciously carried out upon the spot. Otherwise its failure is greatly to be apprehended; the advantage accruing from repayment being remote, and the temptation to evade or postpone it, or altogether to abscond, being so obvious.

On the general subject of transportation, it is necessary here to notice one most important alteration. All convicts henceforth are to undergo their sentence "except those whose age or health may require different treatment, or for some special reasons."

Thus, whether convicts escape the first stage of discipline, as some will do, or are not subjected to the second, as will be the case with some well-conducted prisoners at Pentonville, Wakefield, &c., whose sentence has been only for seven years, all are to be sent to the penal colonies eventually. Convicts have been sent, from the hulks at Woolwich and Portsmouth after their term of penal labour there, and there is no reason to think that those at Bermuda and Gibraltar will form an exception to the rule. I conceive nothing better calculated in the whole arrangements to meet the ends of justice than thus to make transportation the inevitable consequence of the sentence pronounced to that effect

by the judge. It was a fatal oversight in Lord Stanley's plan, devised as it was unquestionably with so much ability and zealous solicitude for the public good, and on the principle, moreover, of increasing the terrors of the sentence, to permit one-third or at least one-fourth part of men sentenced to transportation beyond the seas to seven, ten, or fifteen years, to return to their homes after three, four, and at most seven or eight years' service under Government, with what convicts call their bounty money (several pounds sterling), in their pockets, without crossing any sea whatever, or at farthest, having gone only to Gibraltar or Bermuda, from which, also, they were brought back at the public expense. To allow such a monstrous exception to the general plan of the probation system, was to perpetuate one of the worst features which can be attached to the execution of the laws—uncertainty. It may be safely affirmed, that one criminal so sentenced, but subsequently, without any special cause in his favour, so returning to his village or town, to tell of his adventures, and to shew his money, did more to divest the sentence of its salutary terrors and to embolden the criminal or badly-disposed population of that place than the most solemn address of the judge in pronouncing it ever did good. It is notorious, moreover, that convicts *so* liberated were constantly returning to the dock to be sentenced again to transportation, but not

with certainty even then, that they should ever go beyond the hulks. It remains now only to mention some remedial measures added to the new system of convict discipline.

To neutralise some of the evils of transportation, Earl Grey has informed the Government abroad, "that it is the intention of Government that those married convicts, whose conduct, during the two first stages of their punishment, has been such as to deserve this indulgence, should be allowed to have their wives and families sent out to join them, on condition that half the expense of their conveyance is provided for, either by means of any assistance afforded to them by their friends or the parishes to which they belong, or else by being taken as an advance, to be repaid by the convicts on the same terms as the debt incurred by their own removal."

It is further intended that the whole of the money, repaid by the convicts, should be devoted to the promotion of free emigration, &c.

That the expatriated convict, if well conducted, should have his wife and children sent to him, is, in a moral point of view, manifestly of the last importance, both as regards the parties themselves and society in general.

In all cases, the disruption of domestic ties for a lengthened period cannot but be considered as prejudicial in its consequences. The wives of trans-

ported convicts, who have no hope of joining their husbands, too often give themselves up to a reckless way of living, and when they become degraded, the children are suffered to grow up in ignorance and vice, to be a charge and often a pest to society.

Its effect upon the resources of the country may be judged of by the fact of 1586 children of convicts being in the union workhouses on the 18th of March, 1847.

To co-operate with this most beneficial measure, it has been lately enacted (11 and 12 Vict., cap. 110, sect. 5), "That the guardians of any union or parish may, with the order of the Poor-Law Board, and in conformity with the regulations they make respecting the emigration of poor persons, render assistance in the emigration of such poor persons, irremovable and chargeable, and charge the cost upon the common fund of the union, or parish where there is no union."

It is fervently hoped, in a matter so evidently affecting the question of crime and pauperism in this country, as well as the happiness of the innocent families of the condemned and banished, that local charity will meet the parochial help and bounty of Government, and that the repayment of the sum which every convict will have to make for his own passage out before he can attain to the privileges of conditional pardon, will in the case of the married,

upon whom unquestionably the sentence in all its stages presses most heavily, be considered sufficient, without the additional part payment of his family's passage out also, which may render it too distant, and too hopeless, to answer the humane and Christian object of the measure.

Such, summarily, is the plan of the present Government for carrying out the sentence of transportation; and the utmost care has been taken to insure its success by the selection of able and experienced officers to superintend the discipline and labour of the convicts, and of zealous and devoted men of God to make known to them the Gospel of hope and salvation, to direct the cultivation of their minds, and to counsel them as friends at all times. This is the character of all the recent appointments at the Hulks, and at Wakefield and Portland. It is worthy of observation, that under the new plan transportation assumes unquestionably the severest form yet tried, and that this increased severity has been the result of experience and a gradual departure from a lenient course. The probation system was more severe in the cases to which it was applied than the assignment, and the present one still more so. The chief cause in producing this increased rigour in the chief secondary punishment, is probably the increased relaxation of the law in the case of the capitally convicted, and the greater necessity of giving

to the colonies only such convict labour as it may be reasonably hoped will, without any moral injury to Australia, be gradually absorbed in the general population. The sentence of transportation henceforth may well strike terror into the stoutest heart, divested as it is of well-known chances of escape, and involving a course of previous discipline, penal and reformatory, distasteful beyond measure to criminals. It will come home to every class of mind. There is a surprising diversity of feeling amongst prisoners as to the comparative degree of severity belonging to the several sorts of punishment. Therefore, that which is most uniform is also most unequal in its pressure. The adventurous young criminal, for instance, and all who have no friends or home, make very light of being sent out of the country. To many, indeed, of this class transportation has been an object of desire, as giving them a chance of bettering their condition, or of ambition as the completion of their education in crime ; but the thought to such an one of being shut up by himself for six, twelve, or eighteen months first, having only respectable and religious persons to speak to, the very sort of persons he has been fleeing from all his life, fills him with dismay. The educated and well-brought-up, desiring concealment and having mental resources, can bear the thought of seclusion for a while, and of an exile to follow, in a country where he is not known ; but

his heart sinks within him when he hears that after the ordeal of separate confinement, he is to be worked at penal labour in a convict dress, and in some measure exposed to public view. Others again, and perhaps the greater part, accustomed to labour, and contemplating the advantages to be derived from education whilst in prison, could bear both these stages of discipline with little mental or bodily suffering, to whom removal from home and country is perfectly appalling. The diversity, therefore, in the character of punishment in the several parts of this scheme of probation is not its least valuable part.

Upon an impartial review of the whole arrangements, I do confidently hope that the plan of convict discipline now determined upon will prove itself better calculated than any which have preceded it to meet the ends of justice, as regards the mother country, the interests of the colonies, and the reformation of the convict.

VII.

ON THE PREVENTION OF CRIME.

IT is generally thought that there has been a great increase of crime in England and Wales of late years. Indeed, so confidently has this been stated by those who seemed to be authorities on such a subject, and so repeatedly have the crimes of a few enormously guilty criminals lately been brought before one's view by every form of publication, that I confess to have entertained the same opinion until I inquired more narrowly into the matter. In 1847 the total number of criminal prisoners* was greater certainly than in 1845 and 1846, and in a very slight degree above the estimated increase of population ; but taking these three years together, and comparing them with 1842, 1843, and 1844, the re-

* 106,353, of whom 19,621 were "vagrants," being in excess of former year, in this class, of 2328. With reference to the formidable total of prisoners, it should be borne in mind that "one in four," is *known* to be a case of re-committal, and that a great number are really so, although by their *vagrant* habits and lies they are not so reckoned. Hence it may be concluded that not more than 70 or 80,000 individuals are in the position of criminals in a year, or, at most, 5 in 1000 of the population.

turns shew *an absolute decrease* of crime in the three last years. Then if the number be viewed in relation to the increase of population, the results will be more satisfactory, as shewing that the increase of criminal prisoners in any one year above those in the preceding one, going back to the earliest of the Government Inspectors' returns, has not been equal to the increase of population, with the exception of one year. The proportion of criminals in England and Wales in 1840 to the population was 1 in 146, but in 1847, 1 in 162. It is true that this last sad year 1847, shews both an absolute and relative increase of criminal prisoners, but it would be unnecessarily adding to the discouragements of a distressing and difficult question to confine one's view to that, or any such year. That there has been an increase of certain sorts of crime in the country, the Secretary of State for the Home Department has, in his late speech on Mr. Ewart's motion, shewn too plainly; but where most persons probably would have expected, from general impression, that increase to have taken place, namely, in cases of murder, Sir George Grey distinctly says, "I deny the fact of the increase," and supports his position by the following comparison. "I take for a period of 25 years the average of commitments for murder; in the 10 years ending 1848 they were 67 yearly, and in the 15 previous years the same number, 67; the con-

victions for murder in 1844, 1845, 1846, 1847, and 1848, did not vary materially,—21, 19, 18, 19, 23. I have no reason to suppose that the number will vary materially this year; it may not even equal that of 1848. I trust it will not." Now when one considers what years of famine, commercial distress, speculation, and excitement, the last years have been, and how, comparing them with former years, an increase of the number of commitments and convictions also might reasonably have been expected from the increased number, activity, and vigilance of the police, as well as from the greater readiness to prosecute for offences which have ceased to be capitally punished, I think he must derive encouragement even and hope for the future from that year. It is important to notice also that the number of prisoners in this country was actually increased in 1847 to the amount of its excess above the preceding one, or very nearly so, by the temporary suspension of transportation, a measure rendered necessary by the circumstances of the penal colonies, and that in 1848, in consequence of retaining convicts in the first stages of their probation in this country, allowance must be made for this cause of apparent increase of crime.

We need not then begin the consideration of the question of the modes of preventing crime, with a feeling of hopelessness by any means; but, encouraged rather by the facts before us when fairly viewed,

revolve in our minds what may be further or better done, with this object, in dependence upon the Divine blessing, without which nothing is strong, nothing is holy, nothing is perfect.

Without exaggerating the deterrent influence of punishment, as I think is too often done, I confess that I am sanguine enough, nevertheless, to expect some diminution of crime from the gradual demolition in the country of those schools of vice, the older sort of prisons,—the more extensive application of the severe and salutary discipline of separate confinement,—and the increased rigour and certainty of the highest of our secondary punishments, transportation beyond the seas.

As means towards the prevention of crime, experience has ever taught mankind to set a great value upon good laws, a proper promulgation of them, and such an administration of justice in general as accords with the apostolic description of what rulers ought to be—"a terror to evil-doers, and for the praise of them that do well."

The Ordinary of Newgate lately stated in evidence before Lord Brougham's Committee on the subject, that the "mention made in Parliament of not sending transports out of the country had had a very important effect upon the criminals of London;" it had made the sentence "less effectual for deterring offenders." The promulgation of the fact, therefore,

that the sentence is not only to be carried out, but with greater certainty, and, indeed, greater severity than heretofore, may have a beneficial effect upon, at least, less hardened criminals, and that large class of persons who may be said, from their habits of life, to be bordering on crime. It may exercise a wholesome terror on such minds to have a view of the precipice down which so many of their own character and pursuits have fallen. The saying is true,— “*Nemo repente fit turpissimus.*” There is a progress in vice and criminality, and, generally speaking, some moment of hesitancy in every unhappy person’s career, when a very slight impulse would be enough to turn the balance and save from irretrievable ruin. When character and self-respect are gone, and the feelings of home withered, every effort to save may be in vain.

A proper promulgation of the law of transportation, as enforced now by Government, would, I conceive, have a salutary effect; but more so, if the subject were considered settled, in its leading features, for years to come. This should be made, not only from the bench, but, being put into plain English, be posted up in suitable places, and especially in every licensed place of public entertainment and resort, as a warning to youth and inexperience. And why should there not be a reading lesson on the subject of crime, its causes, and its punishments, in the

hands of every child educated under Government, in some book which he might take home with him, to be, with God's blessing, as we believe in many cases it would prove to be, a timely warning to a Sabbath-breaking or drunken father, a giddy and thoughtless sister, or a dissolute brother. An intelligible and thorough publication of good laws must constitute a great part of their value.

The following extracts from evidence before the late Select Committee of the House of Lords, contain other suggestions of a most valuable kind, as they seem to me, from persons of the highest authority.

"I am not reconciled to summary convictions, but I highly approve of *frequent courts* to try petty offenders of all ages promptly on the spot, and I would make *restitution* of the thing stolen, or of its money value, a part of the sentence. I may observe, by the way, that, in my opinion, this principle might be usefully adopted in all cases of losses by theft or fraud."*

"I think the administration of the law as to juvenile offenders requires much amendment. We want prisons appropriated to them, in which they should be subjected to a *paternal but severe discipline*, and that not for short, but for long periods, subject, however, to remission on amendment. I do not think it would be in accordance with the spirit of our institutions to have such terms of imprisonment indefinite, as some have suggested, or dependent upon a system like a debtor and creditor account, in which the prisoner has appeal if the account be unfairly kept. There are institutions

* Answers of Lord Denman to Questions submitted by the Select Committee of the House of Lords, 1847.

abroad, such as that near Hamburgh, and the 'Colonie Agricole' in France, and some also in England, which I should be glad to see adopted wholly, or in part, as models for juvenile reformatory prisons. As long, however, as juvenile offenders are mixed up in our gaols with adults, no effectual improvement can take place. I have known an instance in which a regular plan for a robbery, which took effect and was tried before me, was laid in one of what is called our best-regulated gaols, and on the tread-mill. The instrument there was a boy, and the principals were adult thieves. I may add that I am fully persuaded that a *judicious plan of reform for juvenile offenders* would be the *most economical*, as well as the most merciful arrangement which could be made. The expenses now incurred by their repeated re-committals and trials greatly exceed the probable cost of an attempt at an effectual reformation, and to cure this class of offenders would be to cut off one most prolific source of adult crime."*

M. D. Hill, Esq., Recorder of Birmingham, being interrogated before the same Committee:—

"What is your opinion of the expediency of enabling the judge to require recognisances from the parent or friend, which shall be enforceable by law?"—answers:—"I think it is the only possible means of enforcing responsibility upon the parents." And being further asked:—

"Would not the plan of putting upon the parents part of the charge of the maintenance of the child bring with it the necessity in every case of going into the question of the means of the parent?"—replies, "Yes, it would; but probably it would be done

* Extract from Answers of Mr. Baron Alderson.

in this way, that the parish would be primarily liable, and the parish must be left to obtain indemnity from the parent."

The learned and benevolent Judge who expresses those opinions, has happily shewn by his own practice, how much crime may be checked by one in his official station, without the cost and demoralising influence of imprisonment, by calling in, wherever it is possible, the aid of domestic discipline, or of prudent and kind employers in the primary stages of criminality, as appears by the following extract from his evidence before the Lords :—

" What punishment do you generally give those children ?

" I am rather fortunately situated in that respect, because many of the children at Birmingham have either friends or relatives, or masters, who are kindly disposed, and a considerable number of them I am enabled to return to their masters or friends, and I do that under this guarantee,—the master enters into an obligation to take care of the child; his name is inscribed in a register, and at certain frequent, but undetermined periods he is visited by an officer of the police without notice, for the purpose of ascertaining what has been the conduct of the boy, *and how he has been treated.*

" Generally speaking, has the result been favourable ?

" It has been favourable; not so much so as your Lordships may perhaps expect; but what I consider favourable, under all the circumstances. The last time I saw the account, there had been 113 persons so disposed of. Of those, 44 maintained their positions without a single relapse; and of the conduct of 29 we were from one cause or other ignorant; the remaining 40 had relapsed.

" Have you compared that result with the result in cases

where you have sentenced to imprisonment and other punishment?

I am glad to be asked that question, because I have consulted superior officers of our police, and they are of opinion that there are fewer relapses in this mode of treatment, namely, in giving up the child to his friends, than when he is sent to prison."

A benevolent individual, Mr. Thomas Wright, of Manchester, has shewn, by a no less striking example, how much may be accomplished in preventing relapse into crime by earnest and benevolent zeal, without either the authority of office or the dignity of high rank.

This gentleman stated before the same Committee that he had been in the habit of visiting Salford prison every Lord's Day for the last nine years, for the purpose of imparting religious instruction, and that he had been instrumental in procuring situations for upwards of 150 prisoners after their discharge—becoming personally responsible in certain cases for their rectitude by way of surety: of these 150 he had heard of only one solitary case of relapse.

In the consideration of this subject a great value is to be set, I think, upon institutions of the kind referred to by Baron Alderson, at Hamburgh and Mettray on the Continent, Stretton-upon-Dunsmoor, and the Philanthropic Institution in England, &c.

The following extracts from an account of Mettray will shew the character and object of that

institution. It will make manifest, also, that Christianity, in its general characteristics of morality and benevolent concern for the poor and fallen, in the hands of earnest, large-minded, and good men, devoting themselves to their work from the high motives of love to God and a belief in the Gospel, has accomplished great things in France for the amelioration and improvement of the class of juvenile criminals :—

“ The Institution is governed by directors, chosen at the annual meeting of the members of the Société Paternelle. The directors were formerly two in number, viz., Monsieur Demetz, and the Vicomte de Bretignères; to these gentlemen, however, a third, the Vicomte de Villiers, nephew of Monsieur de Bretignères, has been lately added.

“ The moral results of Mettray will be best shewn by the following statement,—they have, indeed, fulfilled the most sanguine expectations of its directors. Since its first establishment in 1839 there have been received 521. The number of present inmates is 348, leaving a remainder of 173 to be accounted for. Of these 173, 17 have died, 12 have been sent back to their prisons for misconduct, and 144 have been placed out in various situations in the world. Of the 144 thus placed out, 7 have relapsed into crime, 9 are of doubtful character, and 128 are conducting themselves to the full satisfaction of the directors and of the ‘patrons,’ under whose superintendence they have been placed. These figures, as the directors truly say, speak for themselves.

“ Perhaps the greatest difficulty in the way of the multiplication and success of these isolated and limited establishments would be, that which equally endangers the spread

and the efficiency of Mettray itself, and all similar institutions, the improbability, namely, of finding many such earnest and such able agents to carry out their admirable design as are now assembled at Mettray.

"At present nothing is merely routine, merely mechanism; all is pervaded and animated with the earnest, real character of the resident director. The question naturally and continually suggests itself, How will this go on? how can the work be made to prosper when he is removed from it?

"To this question Monsieur Demetz would answer, that all would depend upon the work being taken up on the *same principle*, and carried on by the *same means* that he has triumphed by—the *principle*, namely, of *religious charity*, and the *means of specially prepared and educated agents*. Engaged in as a work of religion, to be mainly promoted and sustained by voluntary zeal, and to be wrought out by young and earnest men, devoted and prepared to enter on it as a mission which they have to live for, it will succeed. Taken up as a piece of government or corporate machinery, to be carried on by a mere code of discipline, and by hired servants, who enter it solely as a calling they may live by, it will, probably—and, perhaps, justly—fail. Let us address ourselves to it '*with the Gospel in our hand*,' (to use Monsieur Demetz' words,) and we shall be sure of the Divine blessing on our efforts. Let us seek to train fitting and efficient instruments, and to form in those we would employ the intelligence, the self-control, the knowledge of human nature, and the Christian earnestness which the work demands, and we shall take the surest course to crown our efforts with triumph, and to make the blessing which attends them as fruitful as its great Giver designs and wishes it to be." *

* Report on La Colonie Agricole, at Mettray, by the Rev. S. Turner, Chaplain of the Philanthropic, and T. Paynter, Esq.

Concerning the institution at Hamburgh, I regret that I have not any materials at hand to enable me to satisfy the reader as fully as may be desired. Some particulars, however, stated by an American citizen, in an account of his visit to Hamburgh, published in the papers at the time, made an impression on my mind not easily to be effaced, viz., how that those once criminal boys, having offered to their excellent president their assistance towards rescuing property during the calamitous fire then raging in that city, it was accepted, and so well did they discharge their duty that they received the public thanks of the city subsequently for their meritorious and valuable services. Nor was this all; for they next requested permission to give up their beds and bedding to as many houseless persons as could be thereby accommodated, which was, also, wisely and humanely granted. I have made inquiries of Christian men, who have visited our prison, from the Continent, and have ascertained that the disinterested, self-denying, and honoured person, who contrived and carried out that most benevolent scheme, devoting his time and property to the work, that he might become a father to the fatherless, and provide a home for the outcast, is a Christian indeed, and ascribes all his success to the blessing of God upon the means which have been applied, in answer to believing prayer.

It is a cheering sign of the increasing interest felt in the reformation of young offenders, that associations now exist in Cheshire, Shropshire, Staffordshire, and Surrey, for affording to young and destitute criminals the opportunity and means of reformation. The individuals aided from these sources have mostly been sent to the Philanthropic or the Refuge for the Destitute. The magistrates of Warwickshire, also, have for many years maintained a small reformatory asylum at Stretton-upon-Dunsmoor, for young offenders in that county. In this, however, as in the Refuge and Philanthropic, in-door occupations are the boys' only employment; they are wholly employed in shoemaking and tailors' work.

The asylum at Stretton-upon-Dunsmoor seems to have been of great utility, but has been suffered rather to languish of late years, from a want of adequate support, such as, it is hoped, will be extended to it in an age like the present, when measures for nipping crime in the bud are becoming better appreciated.

The Philanthropic Society is about to carry out its object on a larger and more improved system than their limited bounds in St. George's Fields and their funds allowed; and His Royal Highness Prince Albert lately laid the first stone of their farm-school for criminal and vagrant boys, at Pot-

ter's Bar, near Barnet. The selected design for the new school consists of eight houses, each calculated to accommodate about sixty boys, arranged on either side of a commodious and handsome chapel; thus carrying out the system of domestic management and association which the Society are desirous of introducing into their institution, and which has been adopted with such success at the French school of reformatory discipline at Mettray, as well as at Hamburgh, and other similar establishments on the Continent. Each house is so fitted and arranged as to allow of the "family" of boys contained in it being instructed in cooking and all common domestic occupations, as well as in husbandry and gardening, and such mechanical arts as are connected with farm-labour. The houses, and everything relating to the accommodation and treatment of the boys, are arranged on a studiously economical and simple principle; the promoters of the farm-school having a strong conviction that every effort of this sort for the recovery and reformation of the erring and perverted should be so shaped and carried out as not to make their condition in any way superior to that of the ordinary country lads, whose better disposition and happier circumstances have preserved them from transgressing.

It is hoped that a work begun under such high auspices, with an object so worthy of the name of

the Society, and on principles of such good sense as well as of sound Christianity, will be found, with God's blessing, not only a great public benefit in itself, but, in becoming a model of its kind in the country. Almost everything in the way of confident hope, however, seems to me to depend upon the degree of Christian principle and Christian character, temper, and discretion, in the heads of the respective *families*, and of this the Committee seem to be, happily, most sensible.

But, after all, if crime is to be extensively diminished in the country, it will be in consequence rather of what may be done with the population which is exposed to temptations of the kind, rather than with that part which has already fallen.

To attempt the reformation of the guilty is, indeed, a sublime and godlike work, and the man must be as ignorant of facts as of the Divine power of Christianity, who sneers at the efforts made in our times in that direction. "Truly God is able even of these stones to raise up children unto Abraham." Inspiration and experience, however, plainly teach that we should not wait for the last extremity of hope, and until there is added to a rebellious will and evil nature the further tremendous antagonism to virtue of habits of sin; for as the prophet says, "Can the Ethiopian change his skin, or the leopard his spots? then may they also do good who are accustomed to

do evil." To reform one criminal is a matter of great moment even in a social point of view, and the truth of the maxim will be disputed by few, " *Parum est coercere improbos pena, nisi probos efficias disciplina;* " but to save one individual from becoming criminal at all is assuredly a greater.

It happily is not necessary at any length to shew the superior value of attention to the circumstances of the virtuous poor, especially in youth, by ragged and industrial schools, and suchlike efforts, over reformatory asylums, and the costly efforts which crime makes necessary, or the greater fruitfulness of Christian missions in the lanes and streets of our great towns, than of our mission within prison walls. I rejoice in believing that it is so. It would be sad, indeed, if criminality were more hopeful than penury, or if it were a necessity for a man to enter the gates of a prison to become either a good Christian or a good member of society. No expense should be spared to keep men—and especially, of course, the young—out of prison; degradation of this kind removes self-respect, destroys character, and undermines physical strength (the poor man's capital), and positively contaminates morals, unless there be total separation.

We have attained now, I think, in our improved prisons the highest point which a sound and Christian policy dictates, and justice can permit, in promoting the welfare of criminals, but are still too far behind-

hand, although becoming more alive to our duty, and indeed our interest in this respect, in our treatment of the masses of the population from which springs the greater part of punishable crime.

Our age has more need of an Ashley than a Howard.

I was much struck with the sensible results produced on juvenile delinquency in Aberdeen by the establishment of *industrial schools* in that town, as mentioned in a very useful pamphlet by Alexander Thompson, Esq., of Banchory House, on the subject (Nisbet and Co.). The following extracts from that work will shew the nature and extent of those results :—

“The Local Police Act for the city of Aberdeen gives power to put an end to begging in the streets—a most desirable object ; but, like many other summary reforms, rendered, in part, nugatory by doing only half the work. It provides for putting an end to begging, but it neglects to devise any mode of caring for the beggar, and putting him in the way of maintaining himself; it treats him simply as a great nuisance to the public—to be forthwith put down: but providing no proper remedy—none at all but punishment—it greatly fails in its object.

“It proved, however, a most valuable enactment when private exertion stepped forward to supply that which was lacking in the law.

“The object proposed by this new School was to put an end to juvenile mendicity, by at once laying hold of the whole of the offenders, under authority of the Police Act, and providing them with food and instruction. When the plan was fully explained to the police authorities, they most judiciously agreed to pay from the funds the expense of the teachers

for a time, until the experiment should be fairly tried. The Managers of the Soup Kitchen gave the use of their premises gratis ; and the great moral experiment was commenced with only four pounds sterling of money collected.

“ Instructions were given to the police on the 19th May, 1845, to convey every child found begging to the Soup Kitchen ; and in the course of the day seventy-five were collected, of whom four only could read. The scene which ensued is indescribable. Confusion and uproar, quarrelling and fighting, language of the most hateful description, and the most determined rebellion against everything like order and regularity, gave the gentlemen engaged in the undertaking of taming them the hardest day’s work they had ever encountered in their lives. Still they so far prevailed, that by evening their authority was comparatively established. When dismissed, they were invited to return next day— informed that, of course, they could do so or not as they pleased, and that if they did, they should be fed and instructed, but that whether they came or not, begging would not be tolerated. Next day, the greater part returned ! The managers felt that they had triumphed, and that a great field for moral usefulness was now secured to them.

“ The class who were brought to this School was far below those who attend the other two Institutions, low as they appeared to be when the Schools were first opened ; and the scenes of filth, disease, and misery, exhibited even in the School itself, were such as would speedily have driven from the work all merely sentimental philanthropists. Those who undertake this work must have strong sound principle to influence them, else they will soon turn from it in disgust.

“ The school went on prosperously ; it soon excited public interest ; funds flowed in ; and, what is most gratifying, the working classes took a lively interest in it, and while the wealthier inhabitants of Aberdeen contributed during the year about 150*l.* for its support, the working men collected, and handed over to the Committee, no less than 250*l.*

“A few years since there were 280 such children in Aberdeen, who had no visible means of subsistence but by begging and stealing. A begging child is now seldom to be seen in our streets or in the county, and *juvenile delinquency has considerably diminished*. The former result has been produced by the establishment of Schools of Industry; and in order still more to diminish juvenile delinquency, an improved system of industrial training is earnestly recommended.

“In April 1846, the Rural Police Committee of the county of Aberdeen, in referring to the great diminution of juvenile vagrants in the county, thus alludes to the effects of the Schools of Industry:—

“But the most gratifying part of the results of last year's experience consists in the almost complete disappearance of juvenile vagrants from the county. During the whole year only fourteen cases of juvenile vagrancy have occurred. The following are the numbers for each year:—

1840-41	321	1843-44	345
1841-42	297	1844-45	105
1842-43	397	1845-46	14

“Your Committee desire to draw particular attention to this subject, feeling it to be of the highest importance, because juvenile vagrancy is, they are persuaded, the nursery whence a large proportion of the crime and pauperism of after years is furnished.”

The following sentiments of Mr. Thompson fully agree with my experience as to the chief value of all schools:—

“No industrial school can prosper unless placed under the management of persons of firm, immoveable principle,—whose hearts are full of love to the souls as well as the *persons* of the pupils—and whose great desire is to bring

them to the knowledge of the only Saviour, while they neglect no other needful care and instruction. One great object to be ever kept in view is to make the School, as it were, 'a happy home' to the children."

The following brief account of the Bridgenorth Union School for pauper children shews a movement in the right direction also:—

"This school contains about thirty boys, and as many girls. About one-third of this number are between ten and fourteen years of age, the rest are younger.

"By these older children, who are chiefly boys, the entire cultivation of the field-garden attached to the school, containing nearly five acres, is carried on; the only help they have being afforded by the master, and occasionally by an old man from the workhouse. Three cows, a pony, and a few pigs, compose the whole of their stock. The food for these has been almost entirely raised from the farm itself; which, by the frequent and abundant use of manure, the amount of spade labour bestowed, and the judicious alternation of the crops, is made more than commonly productive.

"With regard to the physical and intellectual effects of their occupations on the children, we have seldom met with boys of their class and age more healthful and intelligent. The majority of them read and write remarkably well; and their answers, when questioned by us on the language and contents of a chapter of the New Testament, selected by ourselves, on general subjects, and in mental arithmetic, shewed a degree of information, and a habit of thinking, highly creditable to their instructors.

"But we were most struck with the interest which the older boys seemed to take in the farming operations; eight or ten of them followed us about the fields, and answered

our questions about the crops, and the rules which they observed in sowing and attending to them, with readiness and evident pleasure.

“The usual routine of the children’s employment is as follows:—

“They rise at five in summer, and about seven in winter.

“Before breakfast they work in the fields, clean the house, prepare the food, &c.

“From nine till twelve they attend school, and are instructed in reading, writing, cyphering, religious knowledge, and a little geography.

“In the afternoons they work in the fields.

“The evenings are spent in stocking-knitting and straw-plaiting, varied by reading, singing, or the telling of some useful story by the master.

“They go to bed about nine.

“In fine weather, if there is much work to be done on the farm, the morning instruction in school is omitted. In wet weather, or when out-door occupation is slack, the boys attend school twice a-day.

“In inquiring into that important point, the profit and loss of the farm, we had prepared ourselves to find that the experiment of thus employing the children, however wise and successful in reference to their health, the formation of industrious habits, and the cultivation of wholesome tastes and good dispositions, was an expensive one.

“On this head, however, our expectations were agreeably disappointed; the results of each of the two years during which the school has been in operation, shewing a clear balance of profit in favour of the establishment.”*

Of the value of industrial training, in connexion with schools of all kinds, I am led to entertain a

* Report on the Agricultural Employment of Boys, addressed to the Committee of the Philanthropic Society.

very high opinion ; and I was most happy to find from the Rev. Henry Raikes, the Chancellor of Chester, very lately (no mean authority on such a subject), that his experience has led him to the same conclusion, not only generally, but by his constant opportunities for observing the conduct of the Diocesan school in that city, for training school-masters, the exceedingly exemplary character of whom, out-of-doors as well as in the house, he partly attributed to the means provided for employing their leisure hours by useful and manly occupations.

The following extract from a clever little work, the "Midland Florist," will supply a pleasing illustration of the same kind :—

"In the immediate neighbourhood of Nottingham are an immense number of small gardens, occupied and cultivated by all grades of society ; and with a most laudable and praiseworthy feeling the friends connected with the High-Pavement Chapel Boys' Sunday School have purchased two of these inclosures, in each of which is a commodious summer-house. One of these gardens is cultivated by the elder boys, the other by the juniors. Each garden is subdivided into smaller allotments, which are assigned to their respective tenants—boys from ten to fourteen years old—who cultivate and crop them according to their own fancy, a small portion of each being devoted to flowers. The diligence and ability displayed by these youthful gardeners is really astonishing. We have inspected their crops during several past summers, and with truth can say we were highly delighted with them. The onions, lettuce, celery,

carrots, potatoes, &c., were excellent, and would vie with the productions of older and more experienced cultivators. Prize gooseberries are also grown, and this year the crops of London, Companion, Gunner, Eagle, &c., were amongst the best we have ever seen, either at Nottingham or elsewhere; in fact, these boys always endeavour to obtain, either of seeds or plants, the best varieties possible. In connexion with these gardens, and to excite emulation, a vegetable and flower-show is instituted. This is held in the school-rooms at Nottingham, and prizes are given for the best productions in vegetables, as well as for stands of pansies, verbenas, collections of annual and perennial flowers and nosegays, or bouquets, as they are called by some, but we fancy our readers will like the old English name best. These exhibitions of youthful skill and industry are well attended."

It is a matter of rejoicing to me to observe in the Minutes of the Council of Education "propositions for the establishment of normal and model schools, with the object of training masters of schools for pauper and for criminal children;" for forming also, in connexion with education, in the country, "school field-gardens;" and in the towns, workshops for trades; and in both "wash-houses and kitchens," "in which girls may be successfully instructed in domestic economy," —which seem to my mind, likely to be beneficial in a very high degree, especially if this practical training contemplates giving a stimulus to, as well as a preparation for, a well-organised plan for colonisation —that great natural outlet for the superabundant population of such a country as England.

This argues well for the future. Finally, further, I may be permitted to say, everything which can be done to connect young persons in towns with their church and home—every kind assistance given towards making the home of the labouring man a rest and a pride to him—every connexion formed between the enlightened and superior class and the poor in their schools and in their houses—everything done to teach young people how profitably and with pleasure to employ their leisure hours—every preference given to the modest and to the sober, above more able, and otherwise more useful, competitors for place—must tend to the preservation of society from deterioration of morals and increase of crime.

The foundation of all hopes of increased spiritual advancement, however, including of course this preservation of morals, must, I am satisfied, be looked for in increased attention to the command, "Train up a child in the way that he should go"—"in the nurture and the admonition of the Lord;" and this belongs to parents first, whose deficiency, when unhappily it exists, is best supplied by the teaching and superintendence of the good pastor and affectionate teachers in infant, Sunday, and day schools, who watch with interest and assist with friendly counsel the progress of their scholars into life.

This is the Divine order for the continuance and

spread of truth and righteousness in the world,—first parents, then children,—first the word of God in the father's or mother's heart, then in their children's, and so on from generation to generation. So sings the sweet Psalmist of Israel, “I will open my mouth in a parable, I will utter dark sayings of old which we have heard and known, *and our fathers have told us. We will not hide them from the children*, shewing to the generation to come the praise of the Lord and his strength and his wonderful works that he hath done.” The piety which begins at home is, I am satisfied, the most abundant source of charity and zeal abroad. And if the world is to be regenerated,—if principles of universal peace and good-will are to be established more firmly amongst the nations,—if the elements of society are to be made to blend more usefully together,—if the labouring population are to acquire better habits of temperance and frugality, and the higher classes of self-denial and concern for the comforts of the poor,—if men are to learn how to respect better the rights of their neighbours, and if crime which disgraces humanity itself is to be driven from the earth,—it is the Gospel which will effect the change,—the Gospel faithfully preached, received into families, extending in its primeval strength and beauty on every side, “the hills must be covered with the shadow of it, and the boughs thereof reach unto the sea.” Those who are blessed

with salvation themselves must as freely give as they have freely received. We must not waste our strength or weaken that of others by striving about things which do not profit, but strengthen one another's hands in every good word and work. True religion is the foundation upon which to build the superstructure of all education, all discipline, and all wisdom. It is the tree of life in the midst of the garden. The doctrine of Christ in the pulpit, in the family, in the school,—this it is which reaches the heart, regulates the passions, supplies motives to honesty, temperance, and chastity, and gives a sanction to virtue which nothing else can give. The mind rightly taught in the things of God will have learned to dwell upon " whatsoever things are true, whatsoever things are honest, whatsoever things are just, whatsoever things are pure, whatsoever things are lovely, whatsoever things are of good report." This is what all schools and other efforts of Christians must aim at as their prime object, and what in a measure, through the Divine blessing, they accomplish.

It is said by enemies to religion, and taken up too readily as a truth by many who are not so, that the influence of pious parents' example and instruction is very doubtful in the formation of their children's character for good. My experience is entirely the reverse; and as a parent myself, I see more and more

reason for confidence in the promise of God in that referred to. At the same time, I am taught to fear greatly, lest our daily conversation and the company chosen for our families, or the persons we may select to be with or over our children, at what may be called the seed-time of life, may materially injure our direct teaching or altogether choke the good seed. It is a sad thing, that parents who have, through Divine grace, risen above the things of the world themselves, should fall into a hankering after them for their children, and whilst formally teaching them sound doctrine should be communicating in the way of table-talk, in which instruction is drunk in with greatest avidity, principles which are unsound or maxims which are completely worldly. I hope I shall not be understood as recommending austerity and a rigour of discipline on the part of the parents, a course which keeps the child at a distance, or lessens the buoyancy of spirits which belongs to youth,—so absolutely necessary for the developement of the mental and bodily powers;—far from it. Such a mode of treating the young I believe to be as injudicious as over-indulgence, and, if there be not relief in one parent, really injurious in its results. A wise infusion of religion into all that we do at home will take nothing from the happiness of our children. The best child and the best group of children is always the happiest. Religion, it is true, imparts

wisdom instead of folly, sobriety instead of excess, purity instead of sin, but all this gives a solidity and permanency to the joys of childhood, otherwise so fleeting and evanescent. There were many merry-making children, doubtless, in the lanes and streets of Jerusalem or on the hills of Zion when our Lord made his last entry within her walls, but that was a happier band of little ones who with their believing parents did homage to the meek and lowly King, strewing their garments and the palm-tree branches beneath his feet, and singing, "Hosanna to the Son of David, blessed is he that cometh in the name of the Lord, Hosanna in the highest."

Entertaining from my own experience such a high sense of the domestic influence, it was no small pleasure to me to meet with the following comment of the Rev. Albert Barnes, an American, on that most comfortable text of Isa. lix. 21, "My Spirit that is upon thee, and my words which I have put in thy mouth, shall not depart out of thy mouth, nor out of the mouth of thy seed, nor out of the mouth of thy seed's seed, saith the Lord, from henceforth and for ever."

"There is no promise of the Bible that is more full of consolation to the pious, or that has been more strikingly fulfilled, than this. And though it is true that not *all* the children of holy parents become truly pious, though there are instances where they are signally wicked and aban-

doned, yet it is also true that rich spiritual blessings are imparted to the posterity of those who serve God and keep his commandments. It is well known to all who have ever made any observations on the subject, that the great majority of those who become religious are the descendants of those who were themselves the friends of God. Those who now compose the Christian churches, the world over, are not those generally who have been taken from the ways of open vice and profligacy; the church is composed mainly of the families of those who trained their children to walk in the way of pure religion."

He adds, "The secretary of the Massachusetts' Sabbath School Society made a limited investigation, in the year 1838, for the purpose of ascertaining the facts as to the religious character of the families of ministers and deacons, with reference to the charge so often urged, that their sons and daughters were worse than common children. The following is the result. In 268 families which he canvassed he found 1290 children over fifteen years of age. Of these children 884 were hopefully pious; 794 have united with the churches; 61 entered the ministry; only 17 were dissipated, and about half only of these became so while with their parents. In 11 of these families there were 123 children, and all but 7 pious. In 56 of these families there were 249 children over fifteen, and all hopefully pious. When and where can any such result be found in the families of infidels, of the vicious, or of irreligious men? Indeed, it is the great law by which religion and virtue are spread and perpetuated in the world that God is faithful to this covenant, and that he blesses the efforts of his friends, to train up generations for his service. All pious parents should repose on this promise of a faithful God. They may and should believe that it is his design to perpetuate religion in the families of those who truly serve and obey him. They should be faithful in imparting religious truth; faithful in prayer; faithful in a meek, holy, benevolent example: they should so

live that their children may safely tread in their footsteps ; they should look to God for his blessing on their efforts, and their efforts will not be in vain. They shall see their children walk in the ways of virtue, and when they die they may leave the world with unwavering confidence that God will not suffer his faithfulness to fail, that he will not break his covenant, nor alter the thing that is gone out of his lips.

" It is a fact, too," he continues, " that comparatively a large proportion of the descendants of the pious become themselves for many generations true Christians. Some of the most devotedly pious people of this land are the descendants of the Huguenots who were expelled from France. A very large proportion of all the piety in this country has been derived from the 'Pilgrims' who landed on the rock of Plymouth; and God has blessed their descendants in New England and elsewhere with numerous revivals of religion.

" I am acquainted with the descendants of John Rogers, the first martyr in Queen Mary's reign, of the tenth and eleventh generations. With a single exception, the eldest son in the family has been a minister of the Gospel, some of them eminently distinguished for learning and piety; and there are few families now in this land, a greater proportion of whom are pious, than of that family." (Vol. iii. p. 602.*)

The bearing of my own remarks, as a prison chaplain, on this point, is not to discourage parents who in any degree of faith are endeavouring to discharge their sacred duties to their offspring by a personal appeal to their fears as to what may be

* The above extract is found in a book already referred to in page 97, "The Seed of the Righteous."

the future unhappy condition of the children whom they so dearly love, but to encourage such Christian parents to take a decided course themselves, and to bring up their sons and their daughters for Christ, not as sentimental or negative Christians, but as active, zealous, self-denying labourers in the Lord's vineyard, in whatever station of life it may please God to place them.

The great work of evangelising the world, and lessening its guilt and misery, is committed to the church of the living God, the great community of the faithful, and the times call for decision and exertions above those of an ordinary kind ; and if we set less before our children, as the first object of their lives, than assisting in this work, or practically make religion second to worldly advancement, we may fail in all our expectations, and live to see our children worthless or vicious.

The limits which I have prescribed to myself will not allow me further to particularise. If it be true that the first causes of a descent into crime (subsequently so ruinous to the individual and so costly to the public) be the casting off the fear of God, or gross ignorance of the things which are honest, and true, and lovely, and of good report — if it cannot be denied that criminals spring from that class of persons chiefly who have no Sabbath, or wickedly profane it,—if much, also, of crime may

be fairly traceable to public-houses and public places of amusement,—if it be equally true that not a few fall from being poor and friendless, it must be a much better policy, assuredly, and a wiser manifestation of Christian zeal, to encounter those things in every way, than to spend our labour, exclusively or primarily, in meeting the evils which spring from them. Only let the same care be bestowed upon the subject of prevention of crime by the healthful part of society, that is given to devising means for preventing the spread of a contagion or infectious disorder in a place, and a sensible diminution of crime will be the consequence. It was said lately that a town in Scotland being invaded by the cholera, or some premonitory signs of its approach, the respectable inhabitants, moved by charity, as well as by the feeling of self-preservation, determined to visit every lane and house, to excite the people who had it in their power to the necessary precautions, and to assist the poor with means for doing the same, and their labours were stated to have been followed with the desired success. Now the united zealous efforts of Christians in any neighbourhood, made in dependence upon their God, for the discountenancing irreligion and vice, and properly helping the poor, would, beyond question, accomplish greater things. Christianity, to be fairly tested, must be aggressive; the object is higher, and

our own interest no less concerned, for, after all, it is “righteousness which exalteth a nation, and sin is a reproach to any people.” And if our past troubles, with the manifestation of the Divine favour in our deliverances from them and our exemption from others, have, indeed, led the churches of Christ in the land to think more worthily of their duties towards the ignorant and unconverted, and society in general to see how much of their own comfort and security does actually depend upon their hearty co-operation in carrying out the principles of the Gospel, “Glory to God in the highest, and on earth peace, good-will towards men ;” we and generations yet unknown shall have reason to bless God for these his judgments, as well as for his mercy.

VIII.

A CHAPTER FOR LAWYERS.

SINCE committing to the press the foregoing chapter, a blue book on the statistics of crime in Ireland has been published containing tables of the number of criminal offenders committed for trial in Ireland, or bailed for appearance at the assizes in each county during the year 1848, which gives some details worth quoting. The summary is from *The Times* :—

“ The grand total number of criminals tried at assizes and quarter sessions amounted to 88,552, and the number of summary convictions at petty sessions and police-offices to 49,717. The number of persons committed for drunkenness was 12,302. The report further shews that the great scarcity of food and general distress that have lately prevailed in Ireland, together with the evils arising from recent political agitation, have operated upon the criminal returns in a deplorable manner, and produced a state of social prostration but faintly indicated even by the statistics adduced. In all the most serious offences a large increase has occurred.

The committals for the year (38,552) exhibit an increase of 7913. In class No. 1, "offences against the person with violence," the increase is 31.12 per cent; in class No. 2, "offences against property with violence," the increase is nearly 15 per cent; in class No. 3, "offences against property without violence," the increase is 12 per cent; and in class No. 4, "malicious offences against property," the increase is in the fearful ratio of 188.47 per cent. The total number of persons convicted last year was 18,206, of whom 60 were sentenced to death; 2698 to transportation; 12,968 to imprisonment; and 2235 to be fined, whipped, or discharged. The total number of persons acquitted and discharged amounted to 20,316."

The total number of prisoners *convicted* at assizes and sessions in England and Wales in 1847 (the last year of which returns have been published), was 20,821, and the number acquitted at the bar 4985, a proportion certainly not such as to call for any unfavourable remark upon the manner in which either advocates or juries discharge their duties in England and Wales, at least when compared with the state of things in this respect in Ireland, where it appears from the above document the number of acquittals was actually more than of the convictions.

Entertaining the highest respect for the honourable profession of the advocate and lawyer, adorned as it has been by so many bright examples of holiness and virtue, and an almost enthusiastic admiration of the manner in which justice is generally administered in England, I still think that we are more indebted

to the integrity and learning of the Bench and the good sense of the jury-box, than to the manner in which the sacred duties of the legal adviser or the advocate are performed, for the results above referred to; and certain I am that it is possible better to protect the innocent as well as to prevent the growth of much serious crime in the country if gentlemen in that profession would remember their calling as Christians as well as lawyers, and leave well-known thieves and bad characters to a judge and jury competent and willing to do them justice. I trust the following extracts from an admirable work entitled "The Lawyer: his Character, and Rule of Holy Life," by Edward O'Brien, barrister-at-law (London, Pickering), may incite young men in that profession to procure the book for themselves, and otherwise be of use:—

"Bishop Sanderson in an Assize Sermon preached at Lincoln 4th August, 1625, thus addresses the bar:—

"If thou comest hither as to thine harvest, to reap some fruit of thy long and expensful study in the laws, and to assist thy client and his cause with thy counsel, learning, and eloquence, think not because thou speakest for thy fee, that therefore thy tongue is not thine own, but thou must speak what thy client will have thee speak, be it true or false; neither think because thou hast the liberty of the court, and perhaps the favour of the judge, that therefore thy tongue is thine own, and thou mayest speak thy pleasure to the prejudice of the adversary's person or cause. Seek not preposterously to win the name of a *good lawyer* by wresting

and perverting good laws, or the opinion of the *best counsellor* by giving the *worst* and *shrewdest* counsel. Count it not, as Protagoras did, the glory of thy profession, but subtlety of wit and volubility of tongue, to make the worse cause the better; but like a good man as well as a good orator, use the power of thy tongue and wit to shame impudence and protect innocence, to crush oppressors and succour the afflicted, to advance justice and equity, and to help them to right that suffer wrong. Let it be as a ruled case to thee in all thy pleadings, not to speak in any cause to wrest judgment.'

" Hooker.—' So natural is the union of religion with justice, that we may boldly deem there is neither where both are not. For how should they be unfeignedly just whom religion doth not cause to be such; or they religious, which are not found such by the proof of just actions? If they which employ their labour and travel about the public administration of justice, follow it only as a trade with unquenchable and unconscionable thirst for gain, being not in heart persuaded that justice is God's own work, and themselves his agents in this business, the sentence of right, God's own verdict, and themselves his priests to deliver it, *formalities* of justice do *but serve to smother right, and that which was necessarily ordained for the common good is through shameful abuse made the cause of common misery.*'— Hooker's 'Eccles. Polity,' book v. chap. 1.

" Baxter, in his 'Christian Directory,' part iv. ch. 4, giving directions to lawyers about their duty to God, says:—

" 'Be not counsellors or advocates against God, that is, against justice, truth, or innocence. A bad cause would have no patrons if there were no bad or ignorant lawyers. It is a dear-bought fee which is got by sinning; especially by such a wilful, aggravated sin as the deliberate pleading for iniquity, or opposing of the truth. Judas's gain and Ahithophel's counsel will be too hot at last for conscience, and sooner drive them to hang themselves in the review than afford them any comfort: as St. James saith to them that he calleth to

weep and howl for their approaching misery, 'Your riches are corrupted, and your garments moth-eaten; your gold and silver is cankered, and the rust of them shall be a witness against you, and shall eat your flesh as it were a fire; ye have heaped treasure together for the last days.' Whatever you say or do against truth, and innocence, and justice, you do it against God himself. And is it not a sad case that among professing Christians there is no cause so bad but can find an advocate for a fee? I speak not against just counsel to a man that hath a bad cause (to tell him it is bad, and persuade him to disown it); nor do I speak against you for pleading against excessive penalties or damages; for so far your cause is good, though the main cause of your client was bad; but he that speaketh or counselleth another for the defence of sin, or the wronging of the innocent, or the defrauding another of his right, and will open his mouth to the injury of the just for a little money, or for a friend, must try whether that money or friend will save him from the vengeance of the Universal Judge, unless faith and true repentance, which will cause confession and restitution, do prevent it.'

" Owen Feltham, in his 'Resolves,' cent. ii. chap. 82, thus expresses his opinion:—

" 'Questionless there are of this profession (the law) that are the light and wonder of the age. They have knowledge and integrity; and by being versed in books and men, in the noble acts of justice and of prudence, they are fitter for judgment and the regiment of the world than any men that live. And their honesty, truly weighed, is the gallantest engine that they can use and thrive withal. A faithful advocate can never sit without clients; nor do I believe that man could lose by it in the close that would not take a cause he knew not honest. A goldsmith may gain an estate as well as he that trades in every coarser metal. An advocate is a limb of friendship, and further than the altar he is not bound to go.'

“Sir Matthew Hale (‘Contemplations’: ‘Great Audit’), speaking of the *gift of elocution*, says:—

“‘1. I have ever used that gift with *humility*; not thereby seeking applause to myself, or owning it, because pride and ostentation in this gift would be secret idolatry to myself and sacrilege to thee, robbing thee of thy glory, and, therefore, signally vindicated in the example of Herod. (Acts, xii.)

“‘2. With *truth*. I never used the advantage of my elocution either to maintain a falsehood, or to abuse credulity into a foolish opinion or persuasion.

“‘3. With *integrity*. I never used the advantage of elocution or rhetoric to deceive people, or to cozen them into a thing. My heart always went along with my tongue, and if I used intention of speech upon any occasion, it was upon an intention of conviction in myself of the truth, necessity, usefulness, and fitness of what I was so persuaded; if my judgment was doubtful or uncertain, so was my speech. I never used elocution or specious arguments to invite any to that which, in my own judgment, I doubted, or doubted whether it were fit or seasonable, all circumstances considered. I never used my elocution to give credit to an ill cause; to justify that which deserved blame; to justify the wicked or to condemn the righteous; to make anything appear more specious or enormous than it deserved. I never thought my profession should either necessitate a man to use his eloquence, by extenuations or aggravations, to make anything worse or better than it deserves, or could justify a man in it; to prostitute my elocution or rhetoric in such a way, I ever held to be most basely mercenary, and that it was below the worth of a man, much more of a Christian, to do so. When the case was good, and fully so appeared to me, I thought then was that season that the use of that ability was my duty, and that it was given me for such a time as that, and I spared not the best of my ability in such a season; and, indeed, elocution, or rhetoric, is a dead and

insipid piece, unless it come from and with a heart full of the sense and conviction of what the tongue expresseth, and then, and not till then, elocution hath its life and its energy. I esteemed these cases best deserving my elocution, and in these I was warm and earnest: the setting forth of thy glory; the asserting of thy truth; the detection and conviction of errors; the clearing of the innocent; the aggravating sins, oppressions, and deceits; and though I was careful that I did not exceed the bounds of truth or of moderation, yet I ever thought that these were the seasons for which that talent was given me, and accordingly I employed it.'

"Domat (in his 'Civil Law,' book ii. tit. 6, sect. 2,) thus speaks respecting the duties of advocates:—

"It may be remarked here, on all that has been said concerning the duties of advocates, that there are three sorts of causes in which they are employed: one sort is of those that are *notoriously unjust*; others are *manifestly just*; and there is a third sort that are *doubtful*.

"As for the causes which are *notoriously unjust*, whether they be contrary to the law of nature, or against the positive law, it is never lawful to defend them, in the same manner as it is never lawful to steal, nor to defend an unjust act. And if the parties themselves cannot carry on these sorts of causes without abandoning the rules of their conscience, and committing a most enormous crime, which is odious in the eye of man, and still more abominable before God, because they use his authority to make it serve as an instrument of their injustice; the advocates who maintain and defend those causes are so much the more guilty and criminal, in that they make themselves accomplices in the malice of their clients, and prevaricate in the exercise of their function, and in the most essential duty belonging to it, which is that of dissuading their clients from prosecuting causes that are unjust. But those who undertake the defence of such causes against poor and indigent persons, make themselves

accessories to a crime the enormity of which can hardly be well expressed. The Holy Scripture compares the offering of him who offers to God the goods of the poor as an alms or sacrifice, to the oblation which one would make to a father by sacrificing his son before his eyes. By what words, therefore, could it describe the action of those who present themselves before the tribunal, not of the mercy, but of the justice of God; not to offer to him the goods of other people, and to divest themselves of them, but to wrest them out of the profession of the right owners, and to appropriate them to themselves; and who have the boldness to invoke the judges to be executors of this injustice?

“As for causes that are *just* and equitable, the only rule is to defend them by no other ways than what are just, without lying and without trick; for if actions that are just of themselves become unjust when they are not performed with the circumstances of justice, according to the saying of the wise man, much more ought the actions of justice itself to be accompanied with truth and justice; and if all men owe to one another, in all their actions, truth and godly sincerity, according to the expression of St. Paul, they owe it infinitely more to God himself, and in his tribunal which is the seat of justice. (2 Cor. i. 12.)

“As for causes that are *doubtful*, the chief rule whereby advocates are to govern themselves therein, is not to take those causes for doubtful which may be rendered such by covering injustice with the appearance of justice; but to take sincerely all those for doubtful whose decisions are uncertain, whether it be on account of the circumstances of the facts, or by reason of the obscurity of the law, or because of other considerations which make justice doubtful in such sorts of causes; and advocates ought to determine themselves therein, according to their own knowledge and conscience; and they ought neither to engage in them, nor to defend them in any other manner, nor by any other means,

than such as are lawful in the defence of causes that are just.

“ All these rules of the duties of advocates may be reduced to two maxims ; one never to defend a cause that is unjust, and the other not to defend just causes but by the ways of justice and truth ; and these two maxims are so essential to the duties of advocates, and so indispensably necessary, that although they seem to be rather maxims of religion, they are, however, in proper terms, expressed in the laws of the Code and Digest.’

“ David Hoffman, an American advocate and author, in his ‘ Course of Legal Study addressed to Students and the Profession generally,’ among other rules which he proposes for the professional deportment of lawyers, has the following :—

“ XV. When employed to defend those charged with crimes of the deepest dye, and the evidence against them, whether legal or moral, be such as to leave no just doubt of their guilt, I shall not hold myself privileged, much less obliged, to use my endeavours to arrest or to impede the course of justice by special resorts to ingenuity—to the artifices of eloquence—to appeals to the morbid and fleeting sympathies of weak juries or of temporising courts—to my own personal weight of character—nor, finally, to any of the overweening influences I may possess, from popular manners, eminent talents, exalted learning, &c. Persons of atrocious character who have violated the laws of God and man, are entitled to no such special exertions from any member of our pure and honourable profession ; and, indeed, to no intervention beyond securing to them a fair and dispassionate investigation of the *facts* of their cause, and the due application of the law ; all that goes beyond this, either in manner or substance, is unprofessional, and proceeds either from a mistaken view of the relation of client and counsel, or from some unworthy and selfish motive, which sets a higher value on professional display and success, than on

truth and justice and the substantial interests of the community. Such an inordinate ambition I shall ever regard as a most dangerous perversion of talents, and a shameful abuse of an exalted station. The parricide, the gratuitous murderer, or other perpetrator of like revolting crimes, has surely no such claim on the commanding talents of a profession whose object and pride should be the suppression of all vice by the vindication and enforcement of the laws. Those, therefore, who wrest their proud knowledge from its legitimate purposes, to pollute the streams of justice, and to screen such foul offenders from merited penalties, should be regarded by all (and certainly shall by me) as ministers at a holy altar, full of high pretension and apparent sanctity, but inwardly base, unworthy, and hypocritical; dangerous in the precise ratio of their commanding talents and exalted learning.'

"Lord Langdale (*in causa* Hutchinson *v.* Stephens, reported 1 Keen's 'Reports,' 669) observes:—

"With respect to the task which I may be considered to have imposed upon counsel, I wish to observe that it arises from the confidence which long experience induces me to repose in them, and from a sense which I entertain of the truly honourable and important services which they constantly perform as ministers of justice, acting in aid of the judge before whom they practise. No counsel supposes himself to be the mere advocate, or agent, of his client, to gain a victory if he can on a particular occasion. The zeal and arguments of every counsel, knowing what is due to himself and his honourable profession, are qualified by considerations affecting the general interests of justice. It is to these considerations that I apply myself; and I am far from thinking that any counsel who attends here will knowingly violate, or silently permit to be violated, any established rule of the court, to promote the purposes of any client, or refuse to afford me the assistance which I ask in these cases."

IX.

CONCLUDING CHAPTER, WITH BRIEF NOTICE
OF HOWARD.

FROM the perusal of the foregoing *facts*, I trust the reader will have received, or have strengthened in his mind, the impression which experience has fixed upon my own, that the pure and benign religion of the gospel is the most powerful, and, at the same time, the most *economical* influence which can be brought to bear upon criminals, for their reformation or the good of society ; and if this be so, then, *a priori*, upon the ordinary population from which they have chiefly been drawn. Of no other law or system can it be predicated than of the " law of the Lord " that it " is perfect, converting the soul." And, assuredly, if we desire success in our labours, whether devoted to the reformation of the convicted and criminal outcast, or to the more worthy object of preventing crime and infamy by the removal, as far as possible, of their causes, we must do so on the basis of a scriptural

Christianity, which, whilst implanting in the human breast the fear of God, gives the highest sanction to human laws, and the most enduring motives to obedience to all constituted authority, and although infinitely pure and undefiled in itself, and in its source, extends to suffering and guilty man the tenderest sympathy. Yet there is a wonderfully strong bias in the unrenewed mind of man in favour of that which is human above that which is of God. Thus, designedly or not, those, for instance, who cry up extravagantly the separate system, and those who denounce it, alike dishonour Christianity. With the former it is merely an adjunct, and not a very safe one sometimes, and they speak of the *reformatory process of the system*, while they would shrink in general from acknowledging the power of the grace of God in turning the sinner from the error of his ways, if indeed they believe it. The latter, exposing successfully some of its weaknesses, or the absurdities of its administration in certain details, cast a slight upon religion and the system at the same time, or treat both as alike ridiculous. Now much as I value that separate system myself as a punishment when compared with other sorts of imprisonment, I confess I cannot ascribe to it more than a negative sort of merit in the real reformation of character, nor for a moment place it by itself, in competition with the affectionate, earnest, and pious teaching of the word

of God upon the same or like persons, under the most disadvantageous circumstances. It is the leaves of the tree of life which are appointed for the healing of the people, and true religion above everything else in the world can make sweet the bitter waters of guilt and sorrow.

Let not subordinate means be despised, nor the co-operation of those who partially, or it may be altogether, ignorant of the distinguishing characteristics of the gospel, honour the Saviour nevertheless, in carrying out his heavenly precepts of benevolence and peace amongst their fellow-men. Such persons may do much good, and be led further themselves, and the Church thereby be enlarged and strengthened; for "if any man will *do* the will of God he shall know of the doctrine." Believing people in this country have through the Divine providence the highest influence for good of any class. Let them avail themselves of this power for their Master's service in every way. Let them place themselves in connexion with every movement of the age for the improvement of the minds of the people, their circumstances, or their habitations. Let them remember the words of the Lord, "Ye are the salt of the earth."

Another observation I feel bound to make before I conclude, for the honour of the gospel, and for the purpose of disabusing the minds of some of my readers

of an error which casts a shade, in a Christian's judgment, upon the memory of one of the greatest of men, and to whose worth, when the world was doing homage, it was attesting unconsciously (partly from the unostentatiousness of his piety, but much more from the anti-evangelical, if not Socinian leaven of some of his biographers and of his literary friends, upon whom his own deficiencies made him too dependent) the triumphs of a pure faith, and of the believing prayers of an humble follower of Christ,—the illustrious philanthropist, John Howard,—whose name it would be unpardonable in me, writing about Prisons and Prisoners, to pass over, and more especially as he was a non-conforming Christian.

Concerning this great man the following extract from the Third Report of Inspectors of Prisons of Great Britain for the Home District will supply some interesting information, and will serve as a fair specimen of how men, to be presumed sound in their creed, whilst extolling his merits, resolve them all into little more than Christian courage, or a concern for the physical sufferings of prisoners:—

“The earliest steps which were taken in the improvement of prison discipline undoubtedly originated in the public exposure made by Mr. Howard of the deplorable condition of our gaols.

“He has himself ascribed the commencement of that interest which he so long and ardently felt in the mitigation of the sufferings of prisoners to an incident which occurred

in the early part of his life. On his voyage to Lisbon, in 1755, which city he designed to visit immediately after the earthquake by which it had been destroyed, the packet in which he sailed was taken by a French privateer. The barbarous treatment which he, with the rest of the passengers, experienced in the castle of Brest, in a dungeon in which they were all confined for several days, led him, in the first instance, to seek the mitigation of the sufferings of such of his countrymen as were imprisoned in the places where he had himself been confined in France. This humane feeling gained further strength and developement from what he observed in the prisons of his own country, and particularly from what came under his immediate notice, when some years after, 1773, he was high sheriff of the county of Bedford. He refers, in his account of the prisons of England and Wales, to the circumstances with which his discharge of the duties of that office made him acquainted, as those which excited him to undertake his humane journeys of inspection, in the course of which he visited most of the prisons in England. In 1774 he was examined on this subject by the House of Commons, and had the honour of receiving the thanks of that body.

“ Together with the remonstrances of this distinguished benefactor of mankind, another circumstance powerfully co-operated to produce a general desire for the improvement of our prisons. At the termination of the American war, the loss of our transatlantic dependencies had deprived us of those remote colonies to which we had been accustomed for a long time to transport many of our convicted felons, and imposed on us the necessity of immediately devising a substitute for the system of transportation which had been hitherto pursued.

“ The result of this combination of human remonstrance and political necessity appears to have been a general desire that something should be speedily done to improve our prison discipline. The first impulse to public feeling was given by the labours of Howard; and great is the obligation which the cause of humanity owes to the unwearied

industry and ardent benevolence of this distinguished philanthropist. His labours were rewarded by that deep and national feeling of commiseration for the sufferings of prisoners which followed that faithful exposure of them, which his earnest wishes for their mitigation, and his truly Christian courage, prompted him to make. But the attention of this excellent man seems to have been almost absorbed by the physical sufferings which it was his lot to witness. The very magnitude and intensity of those sufferings seem to have prevented him from looking beyond them to a consideration of the moral evils of imprisonment, which are even still more deplorable than the prisoner's privations and discomfort, and without a proper remedy for which even an improvement of his physical condition is but too often a greater incentive to his further advancement in crime and vice. The impulse, however, was thus given to the desire and demand for prison improvement; it was prompt and decisive, and to Howard the praise is most justly due.

"The first movement was made by individual magistrates, whose humanity and public spirit suggested the duty and necessity of endeavouring to improve the state and condition of the prisons under their own immediate jurisdiction and control. Of these magistrates we are bound to mention, as among the foremost and most distinguished, the then Duke of Richmond, Lord-Lieutenant of the county of Sussex."

After his death a statue, by Bacon, was erected to his memory in St. Paul's (from funds collected to do him honour whilst living, against his most earnest remonstrances); it was the first monument in that cathedral. On its pedestal is inscribed as follows: *—

* See Life of Howard, by Dr. Brown; a work in which his Christian character is fully vindicated, and from which the above and following extracts are taken.

This extraordinary Man had the Fortune to be honoured whilst living
In the manner which his Virtues deserved ;

• He received the Thanks

Of both Houses of the British and Irish Parliaments,
For his eminent Services rendered to his Country and to Mankind.

Our national Prisons and Hospitals

Improved upon the Suggestions of his Wisdom,
Bear Testimony to the Solidity of his Judgment,
And to the Estimation in which he was held.

In every Part of the Civilized World,
Which he traversed to reduce the Sum of Human Misery ;
From the Throne to the Dungeon his Name was mentioned
With Respect, Gratitude, and Admiration.

His Modesty alone

Defeated various Efforts that were made during his Life
To erect this Statue,

Which the Publick has now consecrated to his Memory.
He was born at *Hackney*, in the County of *Middlesex*,

Sept^t. 11^d. MDCCXXVI.

The early Part of his Life he spent in Retirement,
Residing principally upon his paternal Estate,
At *Cardington*, in *Bedfordshire* ;
For which County he served the office of Sheriff in the
Year MDCCCLXXIII.

He expired at *Cherson* in *Russian Tartary*, on the xxth of Jan.
MDCCXC.

A Victim to the perilous and benevolent Attempt
To ascertain the Cause of, and find an efficacious Remedy
For the Plague.

He trod an open but unfrequented Path to Immortality
In the ardent and uninterrupted Exercise of Christian Charity :

May this Tribute to his Fame
Excite an Emulation of his truly glorious Achievements.

Who would think from that inscription that Howard's greatness and success were the fruits of a self-denying imitation of Christ, and of humble, believing prayer? That they really were so, will appear from a few extracts from his diary, and the characteristic epitaph which he left inscribed for himself; jealous of the honour of his Saviour, and apprehending, as the result proved there was ground for fearing, that a far different one would be written by his friends and admirers.

"Turin, 1769, Nov. 30.—My return without seeing the southern part of Italy was on much deliberation. I feared a misimprovement of a talent spent for mere curiosity at the loss of many Sabbaths, and as many donations must be expended for my pleasure, which would have been, as I hope, contrary to the general conduct of my life, and which, on a retrospective view on a deathbed, would cause pain as unbecoming a disciple of Christ, whose mind should be formed in my soul. These thoughts, with distance from my dear boy, determines me to check my curiosity and be on the return. Oh, why should vanity and folly, pictures and baubles, or even the stupendous mountains, beautiful hills, or rich valleys, which ere long will all be consumed, engross the thoughts of a candidate for an eternal, everlasting kingdom; a worm ever to crawl on earth, whom God has raised to the hope of glory, which ere long will be revealed to them who are washed and sanctified by faith in the blood of the Divine Redeemer. Look forward, oh, my soul! how low, how mean, how little is everything but what has a view to that glorious world of light, life, and love—the preparation of the heart is of God. Prepare the heart, oh, God! of thy

unworthy creature, and unto thee be all the glory, through the boundless ages of eternity.

(Signed)

“J. H.”

“This night my trembling soul almost longs to take its flight to see and know the wonders of redeeming love—join the triumphant choir—sin and sorrow fled away—God my Redeemer all in all. Oh, happy spirits, that are safe in those mansions !”

The following is from his memorandum-book :—

“Do thou, O Lord! visit the prisoners and captives: manifest thy strength in my weakness; help, Almighty God! for in thee I put my trust, for thou art my rock.’ ‘I would rejoice in a sense of thy favour.’ ‘And may not even I hope that God who ‘spared not his own Son, but delivered him up for us all, but that he shall not with him freely give us all things,’ even me life everlasting.’ On the same page with these devout meditations he has also transcribed, with a short addition, a remark already quoted from a former part of this memorandum-book, as illustrative of his views of the inefficacy of good works, as a primary, or even a secondary, cause of salvation. ‘The doctrine of merit is diametrically opposed to the genius of the Gospel;’ ‘By grace we are saved;’ ‘not of ourselves, it is the gift of God.’ In other parts are various detached exclamations and remarks, abundantly illustrative of the evangelical character of his belief, and of his possessing that meekness and humility which are the peculiar virtues of the Christian, in connexion with every other grace that is the offspring and evidence of faith. Such are the following: ‘I am ashamed, and blush to lift up my face to thee, my God.’ ‘Oh, God! soften my heart; it is thy work, to thee be all the praise, faith is thy gift.’ ‘All that I have and am flows from his benignity and indulgence; I am in the hand and at the disposal of one who is good, and to whom I am indebted for

the blessings by grace.' 'Behold, I am vile: what shall I answer thee, oh, my God! I have no claim on thy bounty but what springs from the benignity of thy nature. God forbid that I should glory save in the cross of Jesus Christ.' 'Oh, what goodness have I sinned against, how have I abused this astonishing love, and grieved the Spirit of God!' 'Lord God, for Christ's sake, succeed my combat, and make me conquer.' 'Awake thou that sleepest! thou that raised so many, do thou, O God, compassionate me.' 'I venerate that man who is possessed of riches, yet fears God. It is less wonderful how a poor man gets to heaven, than a prosperous or rich man. The necessaries of life come within a very narrow compass indeed.' 'A few of God's people that met in an upper room, appear, in my eye, greater than all the Roman empire. God kept them.' 'Turn me from all sin, that my soul may not be gathered unto sinners.' 'A poor feeble worm surely stands in need of the protection of Providence. Deliver me from the evil in my heart, the evil in the world.' 'Faith is the gift of God; Lord, give me saving faith in his sacrifice and his righteousness.' 'Oh, that I might know that Christ is mine!' 'Oh, you who pride yourselves on your wisdom, your knowledge, your goodness, but I hope I am among the mourners for sin.' 'I will cheerfully employ all my faculties for God's glory.' 'Oh, how amiable must be the society of saints in heaven!' 'Examples of tremendous wrath will be held up, and what if I should be among those examples?' 'We are high-minded: oh, incline my heart to walk in the way to heaven!' 'Do I renounce all sense of merit before God, and receive a free and full salvation through Jesus Christ?' 'Let me walk not as fools, but as wise.' 'How may I adorn the doctrine of Christ in all things?'"

Howard's appreciation of the value of Christian instruction for prisoners, and of the sort of persons

in whose hands such a work should be intrusted, will appear by the following extract from his work entitled "The State of the Prisons in England and Wales," in which,—

"He urges upon magistrates the great importance of selecting for the office of chaplain to their gaols (and both chapel and chaplain he would have in every place of confinement) a person 'who is in principle a *Christian*, who will not content himself with officiating in public, but will converse with the prisoners, admonish the profligate, exhort the thoughtless, comfort the sick, and make known to the condemned that mercy which is revealed in the Gospel.' Such a man would not think the duty hard which he required him to perform, a sermon and prayers once, at least, on every Lord's Day, and prayers on two other fixed days in the week. 'And if,' he adds, 'a chapter of the New Testament were read daily in order by one of the prisoners to the rest, or by the gaoler, before the distribution of prison allowance, the time would not be mis-spent. The reader, if a prisoner, might be allowed a small weekly pension.'"

The will of this eminently good and holy man closes with this characteristic sentence:—

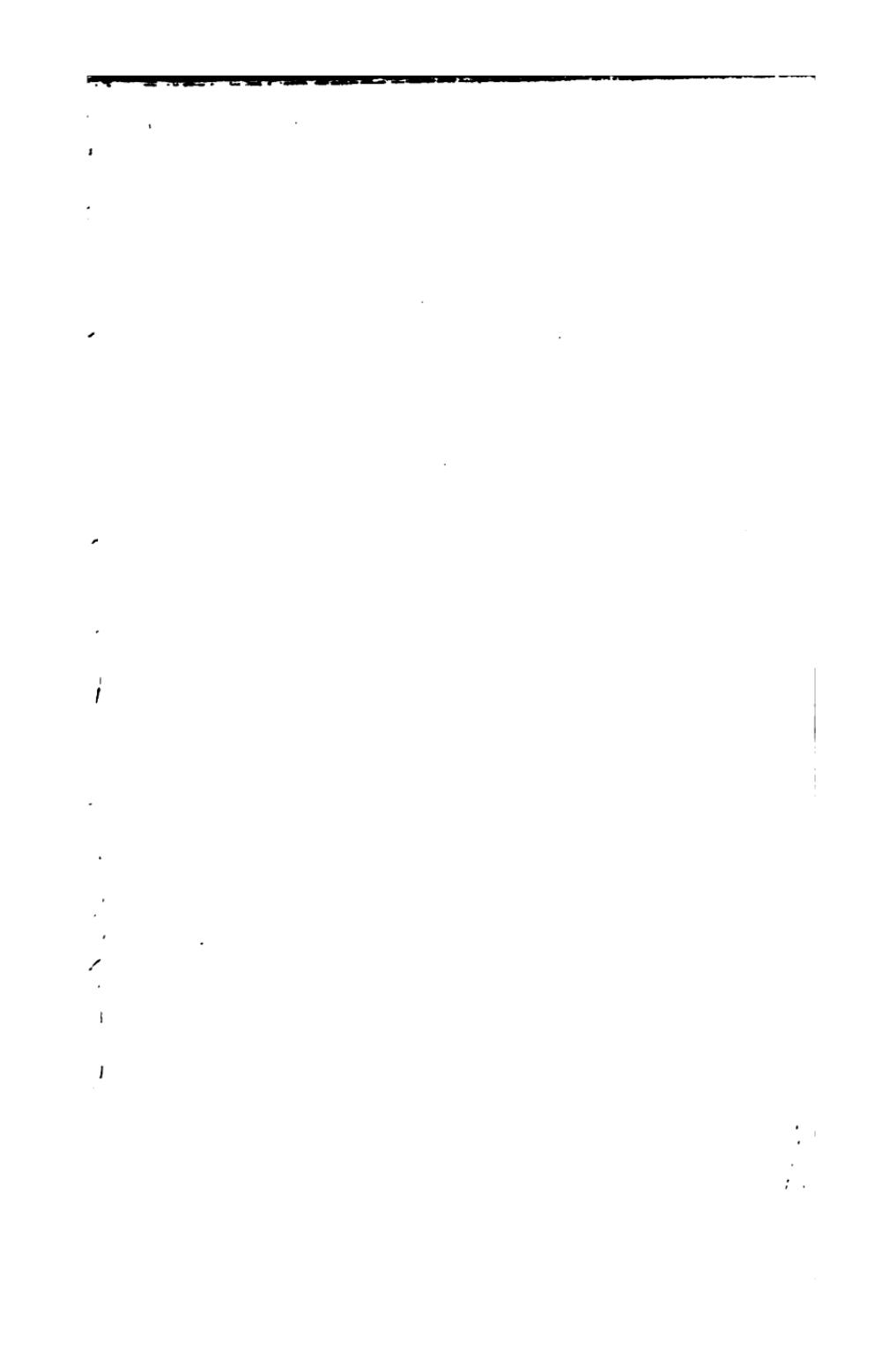
"My immortal spirit I cast on the sovereign mercy of God, through Jesus Christ, who is the Lord, my strength and my song, and, I trust, is become my salvation; and I desire that a plain slab of marble may be placed under that of my late wife, containing an inscription as follows:—

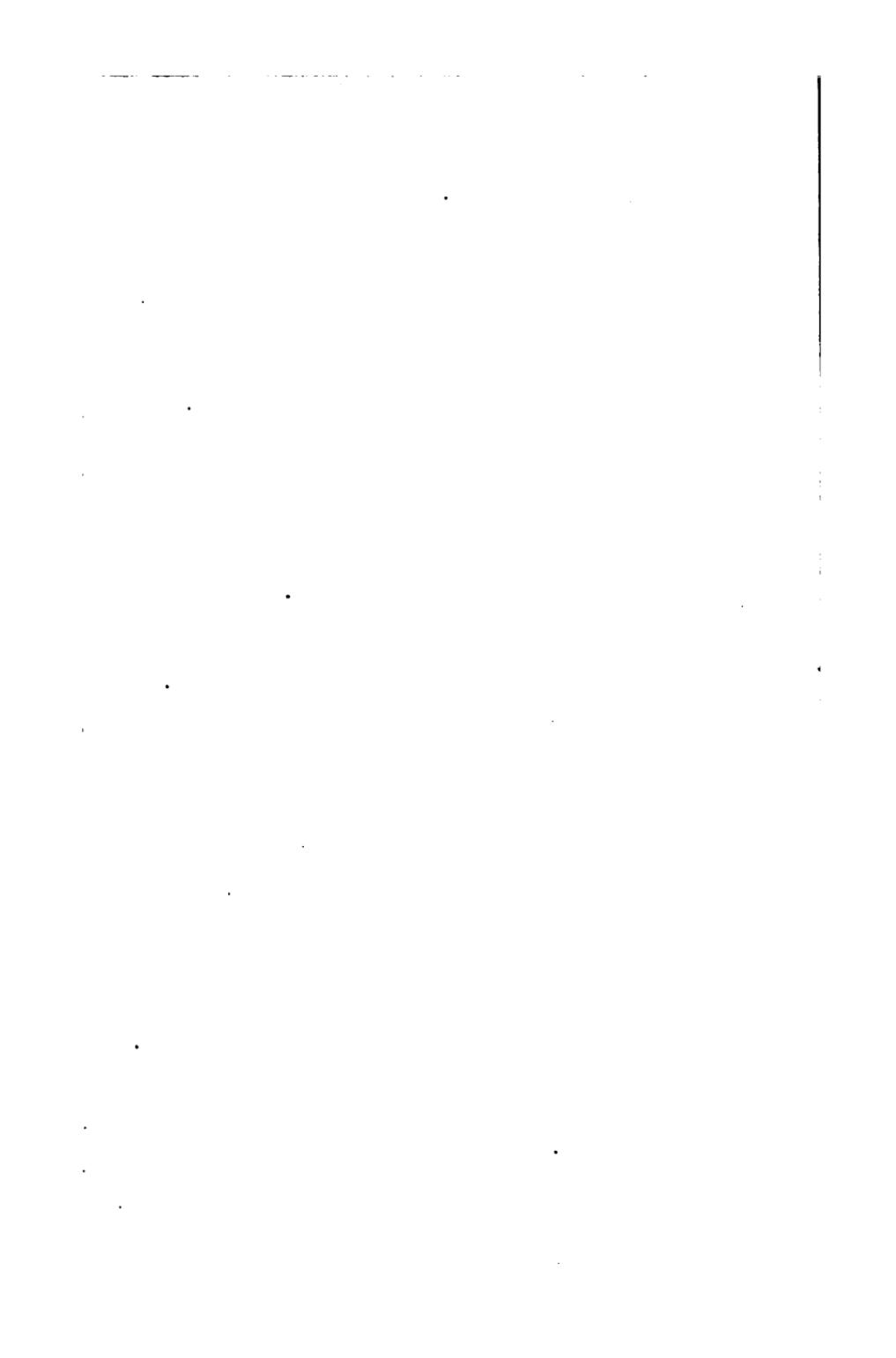
"John Howard,
Died —
Aged —
My hope is in Christ."

This memorial of the philanthropist, so much more suitable than the one written by other hands for an humble believer, to whom Christ was all and in all, stands in the village church of Cardington.

Never, perhaps, was there a man who might with greater truth have said, "When the ear heard me, then it blessed me; and when the eye saw me, it gave witness to me: because I delivered the poor that cried, and the fatherless, and him that had none to help him. The blessing of him that was ready to perish came upon me: and I caused the widow's heart to sing for joy." (Job, xxix. 11-13.) But he had learned to feel differently, and to say with the holy Apostle of the Gentiles, "Not by works of righteousness which we have done, but according to His mercy He saved us." And as in another place: "I count all things but loss, that I may win Christ, and be found in Him, not having mine own righteousness which is of the law, but that which is through the faith of Christ, the righteousness which is of God by faith." (Phil. iii. 9.)

THE END.





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